red-cockaded woodpeckers by acquiring, preserving, restoring, and managing in perpetuity 102 acres of occupied habitat. In addition, 336 acres of red-cockaded woodpecker habitat at another site in south Florida will be restored and four recruitment groups established. Subadult red-cockaded woodpeckers fledged in the Project area will be translocated to the recruitment clusters for 3 consecutive years. After 3 years the remaining adult red-cockaded woodpeckers will be translocated to the established recruitment clusters.

The acquired 102 acres and restored habitat within the red-cockaded woodpecker recruitment site will benefit the Florida panther through further habitat protection and enhancement. In addition the Applicants will partially fund a study to identify wildlife crossing sites to reduce Florida panther vehicular mortality in Collier County. Finally, the Applicants will construct a Florida panther wildlife crossing along County Road 846 in the Okaloacoochee Slough at a location known for high Florida panther vehicular mortality.

The Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act (NEPA). This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA and HCP.

The Service will evaluate the HCP and comments submitted thereto 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 ITP will be issued for incidental take of the red-cockaded woodpecker and Florida panther. 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 NEPA regulations (40 CFR 1506.6).

Dated: September 26, 2008.

Sam D. Hamilton,
Regional Director.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FR Doc. E8–24770 Filed 10–16–08; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FR Doc. E8–24726 Filed 10–16–08; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FR Doc. E8–24726 Filed 10–16–08; 8:45 am]
Environmental Assessment (EA) are available for Patoka River National Wildlife Refuge. Goals and objectives in the CCP describe how the agency intends to manage the refuge over the next 15 years.

**ADDRESSES:** Copies of the Final CCP and FONSI/EA may be viewed at the Patoka River National Wildlife Refuge Headquarters and public libraries near the refuge. You may access and download a copy via the Planning Web site at [http://www.fws.gov/midwest/Planning/PatokaRiver](http://www.fws.gov/midwest/Planning/PatokaRiver), or you may obtain a copy on compact disk by contacting: U.S. Fish and Wildlife Service, Division of Conservation Planning, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, MN 55111 (1–800–247–1247, extension 5429) or Patoka River National Wildlife Refuge, 510 1/2 West Morton St., Oakland City, IN 47660 (812–749–3199). A limited number of hardcopies will be available for distribution at the Refuge Headquarters.

**FOR FURTHER INFORMATION CONTACT:** Bill McCoy (812–749–3199).

**SUPPLEMENTARY INFORMATION:**
Established in 1994, Patoka River National Wildlife Refuge lies within a 20 mile section of the Patoka River in Gibson and Pike Counties of southwest Indiana. The Refuge currently manages about 6,000 acres. Ultimately, the Refuge will include up to 6,800 acres with another 15,283 acres to be included in a Refuge administered wildlife management area. The Refuge encompasses one of the last remaining stretches of bottomland forest in Indiana. It provides some of the best wood duck production habitat in the state and is inhabited by at least forty-one species of mammals and over 200 species of birds. The Refuge preserves visitor services that include hunting, fishing, wildlife observation and environmental education.

The Draft CCP/EA was released for public review October 30, 2007. During the comment period the Refuge hosted a public meeting attended by a total of 10 people. By the conclusion of the comment period we received 18 responses and identified more than 70 individual comments. In response to these comments we made a number of minor edits and added one objective statement and two strategies.

**Selected Alternative**
After considering the comments received, we have selected Alternative 3 for implementation. The selected alternative will increase opportunities for wildlife dependent recreation, increase the amount of bottomland forest, maintain stopover habitat for migratory waterbirds, provide habitat for the federally endangered Interior Least Tern, increase the amount of acres under moist soil management, and consider stream channel restoration options for the Patoka River and its tributaries.

**Background**
The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd–668ee et seq.), requires the Service to develop a CCP for each National Wildlife Refuge. The purpose in developing a CCP is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction for conserving wildlife and their habitats, the CCP identifies wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update these CCPs at least every 15 years in accordance with the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, and the National Environmental Policy Act of 1969 (42 U.S.C. 4321–4370d).

Dated: July 22, 2008.

Charles M. Woolery,
Acting Regional Director, U.S. Fish and Wildlife Service, Fort Snelling, Minnesota.

**Incidental Take Permit Application for Pleasant Rifts Housing Development, Dorchester County, MD**

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

**ACTION:** Notice of availability: Draft environmental assessment and habitat conservation plan; receipt of application for an incidental take permit; request for comments.

**SUMMARY:** This notice advises the public that RB & JH Properties, LLC (applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit under Section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The proposed permit would authorize incidental take of the endangered Delmarva fox squirrel (Sciurus niger cinereus) (DFS) that is likely to occur on the Pleasant Rifts Housing Development, a 29.6-acre property owned by the applicant near Secretary, in Dorchester County, Maryland. We also announce the availability for public comment of a draft habitat conservation plan (HCP) prepared under the Act in support of the permit application and a draft environmental assessment (EA) for the action prepared in accordance with requirements of the National Environmental Policy Act (NEPA).

**DATES:** All comments from interested parties must be received on or before December 1, 2008.

**ADDRESSES:** Please address written comments to Field Office Supervisor, Chesapeake Bay Field Office, U.S. Fish and Wildlife Service, 177 Admiral Cochrane Drive, Annapolis, Maryland 21401. You may also send comments by facsimile at 410–269–0832.

**FOR FURTHER INFORMATION CONTACT:** Cherry Keller, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service (see ADDRESSES above), telephone: 410–573–4532.

**SUPPLEMENTARY INFORMATION:**
Availability of Documents

The permit application materials, which include a draft HCP and a draft EA, are available for public inspection, by appointment between the hours of 8 a.m. and 5 p.m. at the Chesapeake Bay Field Office (see ADDRESSES above). You may also request copies of the documents by contacting the Service’s Chesapeake Bay Field Office (see FOR FURTHER INFORMATION CONTACT above). Finally, you may also visit the Chesapeake Bay Field Office Web site ([http://www.fws.gov/chesapeakebay/](http://www.fws.gov/chesapeakebay/)) to view the documents.

**Background**
Section 9 of the Act and Federal regulations prohibit the “take” of fish and wildlife species listed as endangered or threatened. Take of federally listed fish and wildlife is defined under the Act to include “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or