DATES: All written comments must be postmarked or transmitted not later than June 8, 2009.

FOR FURTHER INFORMATION CONTACT: Current information about proposed repairs to Kalaupapa dock or design of appurtenant structures will be available from Superintendent Steve Prokop, Kalaupapa National Historical Park, P.O. Box 2222, Kalaupapa, HI 96742 (808) 567–6802 (or at http://parkplanning.nps.gov/kala).

Scoping Process: The NPS will formally conclude the public scoping phase (needed to inform preparation of a Draft EIS) following receipt of any and all comments as noted above. All previously submitted comments are documented in the administrative record; only new issues and concerns need to be submitted at this time. During this final scoping period, public meetings will also be conducted—the dates, times, and locations will be announced via local and regional press media and on the project website (noted above). Confirmed details may also be obtained by contacting the Superintendent of Kalaupapa NHP.

All new relevant environmental information, or additional comments on any issues that may be associated with the proposed project, should be submitted by mail to the attention of the Superintendent (address as noted above), or you may submit comments electronically at http://parkplanning.nps.gov/kala). 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.

Decision Process: All information and comments received will be carefully considered in preparing a Draft EIS, availability of which will be similarly announced in the Federal Register. Following release of the Draft EIS for public and agency review, a Final EIS will be prepared. As a delegated EIS, the official responsible for approval of any dock repair project is the Regional Director, Pacific West Region, National Park Service. Notice of approval of a Record of Decision will also be published in the Federal Register. The official responsible for implementation of the approved project will be the Superintendent, Kalaupapa National Historical Park.


Jonathan B. Jarvis,
Regional Director, Pacific West Region.

Public Availability of Comments

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.

Background Information

Section 9 of the Act (16 U.S.C. 1531 et seq.) and its implementing Federal regulations prohibit the “take” of fish or wildlife species listed as endangered or threatened. “Take” is defined under the Act to include the following activities: To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct. However, under section 10(a)(1)(B) of the Act, we may issue permits to authorize incidental take of listed species.

“Incidental take” is defined by the Act as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for endangered and threatened species, respectively, are in the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.

Although take of listed plant species is not prohibited under the Act, and therefore cannot be authorized under an incidental take permit, plant species may be included on a permit in recognition of the conservation benefits provided to them under a habitat conservation plan. All species included in the incidental take permit would receive assurances under our “No Surprises” regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

The applicant seeks an incident take permit for covered activities within 9.2 acres (3.72 hectares (ha)) of grassland the applicant owns in Santa Clara County, California. The applicant is requesting permits for take of three animal species federally listed as threatened: Bay checkerspot butterfly (Euphydryas editha bayensis), California red-legged frog (Rana aurora draytonii), and one non-listed plant. The applicant and the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.
and California tiger salamander (Ambystoma californiense); one plant
species federally listed as endangered: Santa Clara Valley dudleya (Dudleya
setchellii). The plan also includes one
non-listed plant species, the most
beautiful jewelflower (Streptanthus
albidus ssp. peramoenus). The plan
does not include any nonlisted animal
species. Collectively, these species are
referred to as “covered species” in the
plan.

Covered activities include the
following: Grading and ground leveling;
vegetation removal and planting; soil
compaction; building construction; and
use of heavy equipment (including, but
to limited to, bulldozers, cement
trucks, water trucks, and backhoes);
erosion control structures (such as silt
fencing and barriers); dust control (such
as watering surface soils); construction
driveways; trenching; installation of
utilities and irrigation systems; and
associated landscaping.

The applicant proposes to avoid,
mitigate, and minimize the effects to the
covered species associated with the
covered activities by fully implementing
the plan. Minimization measures will
include, but are not limited to, an
employee education program; biological
monitoring during construction and
earthmoving; a storm water, erosion,
and dust control plan; and salvage of
individual Santa Clara Valley dudleya
prior to construction. General
minimization measures will include:
Limiting staging and work areas to the
project site only; regular removal of all
foods and food-related trash every three
days; prohibiting pets from the project
site during construction; restricting
ground disturbance to the period of July
1 through November 30 (generally the
dry season), unless we authorize
otherwise; and maintenance of all
equipment to avoid fluid leaks.

Alternatives

Our proposed action is approving the
applicant’s plan and issuance of an
incidental take permit for the
applicant’s covered activities. As
required by the Act, the applicant’s plan
considers alternatives to the take under
the proposed action. The plan considers
the environmental consequences of one
alternative to the proposed action, the
No Action Alternative. Under the No
Action Alternative, we would not issue
a permit; the applicant would not build
the proposed single-family residence;
the project area would continue to
experience illegal off-road vehicle use,
illegal trash dumping, and trespassing;
and no take would occur for the
construction of the residence and its
associated structures.

Under the proposed action
alternative, we would issue an
incidental take permit for the
applicant’s proposed project, which
includes the activities described above.
The proposed action alternative would
result in permanent loss of 1.33 ac (0.54
ha) of grassland habitat for the Bay
checkerspot butterfly, California tiger
salamander, California red-legged frog,
Santa Clara Valley dudleya, and most
beautiful jewelflower. To mitigate for
these effects, the applicant proposes to
protect, enhance, and manage in
perpetuity 6.8 ac (2.76 ha) of on-site
grassland.

National Environmental Policy Act

As described in our EAS, we have
made the preliminary determination
that approval of the proposed plan and
issuance of the permit would qualify as
a categorical exclusion under NEPA (42
U.S.C. 4321 et seq.), as provided by
Federal regulations (40 CFR 1500, 5(k),
1507.3(b)(2), 1508-4) and the
Department of the Interior Manual (516
DM 2 and 516 DM 8). Our EAS found
that the proposed plan qualifies as a
“low-effect” habitat conservation plan,
as defined by our Habitat Conservation

Determination of low-effect habitat
conservation plans is based on the
following three criteria: (1) Implementation of the proposed plan
would result in minor or negligible
effects on federally listed, proposed, and
candidate species and their habitats; (2)
implementation of the proposed plan
would result in minor or negligible
effects on other environmental values or
resources; and (3) impacts of the plan,
considered together with the impacts of
other past, present, and reasonably
foreseeable similarily situated projects,
would not result, over time, in
cumulative effects to environmental
values or resources that would be
considered significant. Based upon the
preliminary determinations in the EAS,
we do not intend to prepare further
NEPA documentation. We will consider
public comments when making the final
determination on whether to prepare an
additional NEPA document on the
proposed action.

Public Review

We provide this notice pursuant to
section 10(c) of the Act and the NEPA
public-involvement regulations (40 CFR
1500.1(b), 1500.2(d), and 1506.6). We
will evaluate the permit application,
including the plan, and comments we
receive to determine whether the
application meets the requirements of
section 10(a) of the Act. If the
requirements are met, we will issue a
permit to the applicant for the
incidental take of the Bay checkerspot
butterfly, California tiger salamander,
California red-legged frog, Santa Clara
Valley dudleya, and most beautiful
jewelflower from the implementation of
the covered activities described in the
plan, or from mitigation conducted as
part of this plan. We will make the final
permit decision no sooner than 30 days
after the date of this notice.


Jan Knight,
Acting Field Supervisor, Sacramento Fish and
Wildlife Office, Sacramento, California.

[FR Doc. E9–8816 Filed 4–16–09; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places;
Notification of Pending Nominations
and Related Actions

Nominations for the following properties being considered for listing or related actions in the National
Register were received by the National Park Service before April 4, 2009. Pursuant to section 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW, 2280,
Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service,1201 Eye St., NW, 8th floor, Washington DC 20005; or by fax, 202–371–6447. Written or faxed comments should be submitted by May 4, 2009.

J. Paul Loether,
Chief, National Register of Historic Places/
National Historic Landmarks Program.

COLORADO

Weld County
Von Trotha-Firestien Farm at Bracewell,
(Historic Farms and Ranches of Weld
County MPS) Address Restricted, Greeley,
09000291.

IDAHO

Blaine County
Chase, Eben S. and Elizabeth S., House, 203
E. Bullion St., Hailey, 09000292.

Latah County
Nordby Farmstead, (Agricultural Properties
of Latah County, Idaho) 1301 Old Highway
95, Genesee, 09000293.
Snow, Arthur, House, 2949 Clyde Rd.,
Moscow, 09000204.