III. Comments

We invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. Before including your address, phone number, email 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, we cannot guarantee that we will be able to do so.

Dated: February 6, 2013.

Tina A. Campbell,
Chief, Division of Policy and Directives Management, U.S. Fish and Wildlife Service.

[FR Doc. 2013–03286 Filed 2–12–13; 8:45 am]
BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service
FXES1112040000–134–FF04EF2000]
Endangered and Threatened Wildlife
and Plants; Receipt of an Application
for an Incidental Take Permit;
Availability of Proposed Low-Effect
Habitat Conservation Plan; Martin
County, FL
AGENCY: Fish and Wildlife Service, Interior.
ACTION: Notice of availability; request for comment/information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) application and a Habitat Conservation Plan (HCP). SP Behavioral, LLC (the applicant) requests an ITP under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 2.99 acres of foraging, breeding, and sheltering habitat used by the Florida scrub-jay (Aphelocoma coerulescens) (scrub-jay), Eastern indigo snake (Drymarchon courei cooperi) (indigo snake), and gopher tortoise (Gopherus polyphemus), incidental to land preparation and for the construction of the Sandy Pines Residential Treatment Center Addition in Martin County, Florida. The applicant’s HCP describes the minimization and mitigation measures proposed to address the effects of the project on the covered species.

DATES: We must receive your written comments on the ITP application and HCP on or before March 15, 2013.

ADDRESSES: See the SUPPLEMENTARY INFORMATION section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing the South Florida Ecological Services Office, Attn: Permit number "TE95653A–0," U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960–3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Elizabeth Landrum, Fish and Wildlife Biologist, South Florida Ecological Services Office (see ADDRESSES); telephone: 772–469–4304.

SUPPLEMENTARY INFORMATION:

Submitting Comments

If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods:

Email: Elizabeth_Landrum@fws.gov

Use Attn: Permit number "TE95653A–0" as your message subject line.

Fax: Elizabeth Landrum, 772–562–4288, Attn.: Permit number "TE95653A–0.”

U.S. mail: Elizabeth Landrum, South Florida Ecological Services Field Office, Attn: Permit number "TE95653A–0,” U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960–3559.

In-person drop-off: You may drop off comments or request information during regular business hours at the above office address.

Public Availability of Comments

Before including your address, phone number, email 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 request in your comments that your personal identifying information be withheld from public review, we cannot guarantee that we will be able to do so.

Applicant’s Proposed Project

We received an application from the applicant for an incidental take permit, along with a proposed habitat conservation plan. The applicant requests a 15-year permit under section 10(a)(1)(B) of the Act (16 U.S.C. 1531 et seq.). If we approve the permit, the applicant anticipates taking a total of approximately 2.99 acres of scrub-jay, indigo snake, and gopher tortoise breeding, feeding, and sheltering habitat, incidental to land preparation and construction of additional residential and educational facilities, installation of associated infrastructure, construction of courtyards for recreation, expansion of the parking area and storm water management facility, and construction of a stabilized service road, in Martin County, Florida. Construction activities associated with the project will take place within Section 24, Township 40S, Range 42E, Martin County, Florida.

The applicant proposes to mitigate for impacts by one of the three following methods: (1) Establish and manage in perpetuity a 6-acre on-site conservation area; (2) establish and manage in perpetuity a 4.54-acre on-site conservation area and contribute $53,375 to the Florida Scrub-jay Conservation Program Fund; or (3) contribute $219,348 to the Florida Scrub-jay Conservation Program Fund. The Service listed the scrub-jay as threatened in 1987 (June 3, 1987; 52 FR 20715), effective July 6, 1987. The Service listed the indigo snake as threatened in 1978 (January 31, 1978; 43 FR 4028), effective March 3, 1978. The Service identified the gopher tortoise as a candidate species in the eastern portion of its range in 2011 (July 27, 2011; 76 FR 45130) and determined that listing this species as threatened was warranted but precluded by higher priority listing actions.

Our Preliminary Determination

The Service has made a preliminary determination that the applicant’s project, including the mitigation measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, issuance of the ITP is a “low-effect” project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1.
and §16 DM 6 Appendix 1). We base our preliminary determination that issuance of the ITP qualifies as a low-effect action on the following three criteria: (1) Implementation of the project would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the project would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the project, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources that would be considered significant. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

Next Steps

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. 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. If it is determined that the requirements of the Act are met, the ITP will be issued.

Authority:

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

Dated: February 6, 2013.

Larry Williams,
Field Supervisor, South Florida Ecological Services Office.

FOR FURTHER INFORMATION CONTACT:


Determination: If it is determined that the application meets the requirements of section 10(a) of the Act by conducting an intra-service section 7 consultation, the Service will determine whether or not to issue the section 10(a)(1)(B) ITP. If it is determined that the application meets the requirements of the Act, the ITP will be issued.

DATES: Effective Date: February 13, 2013.

The Compact increases the number of gaming machines, increases the prize value and maximum cash payout, and extends the duration of the Compact.

FOR FURTHER INFORMATION CONTACT:
Keith Berger, Field Manager, BLM Royal Gorge Field Office, 3028 East Main Street, Cañon City, Colorado 81212; or by phone at 719–269–8500. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUMMARY: The Bureau of Land Management (BLM) is establishing supplementary rules to regulate conduct on public lands within the Arkansas River Travel Management Area (ARTMA) in Chaffee, Custer, and Fremont Counties, Colorado. These supplementary rules address decisions found in the Arkansas River Travel Management Plan (ARTMP), Travel management actions and changes to the off-highway vehicle (OHV) designations were detailed and analyzed in an Environmental Assessment (EA). The

DEPARTMENT OF THE INTERIOR
Bureau of Land Management

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approved Tribal State Class III Gaming Compact.

SUMMARY: This notice publishes the Approval of the Class III Tribal-State Gaming Compact between the Chippewa-Cree Tribe of the Rocky Boy’s Indian Reservation and the State of Montana.

DATES: Effective Date: February 13, 2013.

DEPARTMENT OF THE INTERIOR
Bureau of Land Management

[LLCOF0200–L12200000–DU0000]

Notice of Final Supplementary Rules for Public Lands in Colorado: Public Lands Administered by the Bureau of Land Management, Royal Gorge Field Office, Arkansas River Travel Management Area in Chaffee, Custer, and Fremont Counties

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Final Supplementary Rules.

SUMMARY: The Bureau of Land Management (BLM) is establishing supplementary rules to regulate conduct on public lands within the Arkansas River Travel Management Area (ARTMA) in Chaffee, Custer, and Fremont Counties, Colorado. These supplementary rules address decisions found in the Arkansas River Travel Management Plan (ARTMP). Travel management actions and changes to the off-highway vehicle (OHV) designations were detailed and analyzed in an Environmental Assessment (EA). The

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