

SUMMARY: We (Fish and Wildlife Service) will ask the Office of Management and Budget (OMB) to approve the information collection described below. As required by the Paperwork Reduction Act of 1995 and as part of our continuing efforts to reduce paperwork and respondent burden, we invite the general public and other Federal agencies to take this opportunity to comment on this information collection.

DATES: You must submit comments on or before November 20, 2006.

ADDRESSES: Send your comments on the information collection to Hope Grey, Information Collection Clearance Officer, Fish and Wildlife Service, MS 222-ARLSQ, 4401 North Fairfax Drive, Arlington, VA 22203 (mail); hope_grey@fws.gov (e-mail); or (703) 358-2269 (fax).

FOR FURTHER INFORMATION CONTACT: To request additional information about this information collection request, contact Hope Grey at one of the addresses above or by telephone at (703) 358-2482.

SUPPLEMENTARY INFORMATION:

I. Abstract

This information collection is associated with regulations implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). CITES regulates international trade in listed species through a system of permits and certificates. The Service assesses permit requests according to criteria in CITES and Federal regulations for the issuance, suspension, revocation, or denial of permits. OMB has approved our current applications for CITES permits and assigned OMB Control Number 1018-0093, which expires June 30, 2007.

We have identified the need to develop a new permit application form specific to permit requests for the export of caviar and/or meat of wild-origin paddlefish and/or U.S. native sturgeon species. In the past, we have used FWS Form 3-200-27 (Export of Wildlife Removed from the Wild) to collect information to allow us to assess such permit requests. However, when using that general form, applicants have had considerable difficulty in understanding what and how to supply the information required. We have developed a new form, FWS Form 3-200-76, to clarify our information collection needs for evaluation of these permit requests.

II. Data

OMB Control Number: None.

Title: Export of Caviar or Meat of Paddlefish or Sturgeon Removed from the Wild, 50 CFR parts 13 and 23.

Service Form Number(s): 3-200-76.

Type of Request: New collection.

Affected Public: Individuals; fishers; commercial dealers/distributors/suppliers and importers/exporters of paddlefish and sturgeon caviar and meat; freight forwarders/brokers; and local, State, tribal, and Federal Governments.

Respondent's Obligation: Required to obtain or retain benefits.

Frequency of Collection: On occasion.

Estimated Number of Respondents: 12.

Estimated Total Annual Responses: 120.

Estimated Time Per Response: 1.5 hours.

Estimated Total Annual Burden Hours: 180.

Estimated Cost to the Public: \$17,400. Based on an average rate of \$30 per hour, we estimate the dollar value of the annual burden hours to be \$5,400. There is a \$100 processing fee for each application, for an estimated \$12,000 annually.

III. Request for Comments

We invite comments concerning this information collection on:

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

Your comments in response to this notice are a matter of public record. We will include and/or summarize each comment in our request to OMB for approval of this information collection.

Dated: August 29, 2006.

Hope Grey,

Information Collection Clearance Officer,
Fish and Wildlife Service.

[FR Doc. E6-15560 Filed 9-19-06; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Endangered and Threatened Wildlife and Plants; Initiation of a 5-Year Review of Kendall Warm Springs dace, Dudley Bluffs bladderpod, and Dudley Bluffs twinpod

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 5-year review of Kendall Warm Springs dace (*Rhinichthys osculus thermalis*), Dudley Bluffs bladderpod (*Lesquerella congesta*), and Dudley Bluffs twinpod (*Physaria obcordata*) under section 4(c)(2) of the Endangered Species Act of 1973, as amended (Act). The purpose of reviews conducted under section 4(c)(2) 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 is accurate. The 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, we must receive your information no later than November 20, 2006. However, we will continue to accept new information about any listed species at any time.

ADDRESSES: For Kendall Warm Springs dace—submit information to the Wyoming Field Office, U.S. Fish and Wildlife Service, Attention: 5-year Review, 5353 Yellowstone Road, Suite 308A, Cheyenne, Wyoming 82009. For Dudley Bluffs bladderpod and Dudley Bluffs twinpod—submit information to the Western Colorado Field Office, U.S. Fish and Wildlife Service, Attention: 5-year Review, 764 Horizon Drive, Building B, Grand Junction, Colorado 81506-3946. Information received in response to this notice and review, as well as other documentation in our files, will be available for public inspection, by appointment, during normal business hours, at the above addresses.

FOR FURTHER INFORMATION CONTACT: For Kendall Warm Springs dace—contact Brian Kelly, Wyoming Field Supervisor, at the above address, or telephone 307-772-2374. For Dudley Bluffs bladderpod and Dudley Bluffs twinpod—contact Al Pfister, Western Colorado Project Leader, at the above address, or telephone 970-243-2778.

SUPPLEMENTARY INFORMATION:

Why Is a 5-Year Review Being Conducted?

Section 4(c)(2)(A) of the Act (16 U.S.C. 1531 *et seq.*) requires that we conduct a review of listed species at least once every 5 years. We are then, under section 4(c)(2)(B) and the provisions of subsections (a) and (b) of section 4, to determine, on the basis of such a review, whether or not any species should be removed from the List of Endangered and Threatened Wildlife and Plants (delisted), or reclassified from endangered to threatened (downlisted), or reclassified from threatened to endangered (uplisted). The 5-year review is an assessment of the best scientific and commercial data available at the time of the review. Therefore, we are requesting submission of any new information (best scientific and commercial data) on the following species since their original listings as threatened (Dudley Bluffs bladderpod and Dudley Bluffs twinpod (55 FR 4152, February 6, 1990)) and endangered (Kendall Warm Springs dace (35 FR 16047, October 13, 1970; 39 FR 1175, January 4, 1974)). If the present classification of any of these species is not consistent with the best scientific and commercial information available, the Service will recommend whether or not a change is warranted in the Federal classification of the species. Any change in Federal classification would require a separate rule-making process.

Our 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 review of the Kendall Warm Springs dace, Dudley Bluffs bladderpod, and Dudley Bluffs twinpod.

What Information Is Considered in the Review?

A 5-year review considers all new information available at the time of the review. These reviews will consider 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 of Endangered and Threatened Wildlife and Plants, and improved analytical methods.

Public Solicitation of New Information

We request any new information concerning the status of Kendall Warm Springs dace, Dudley Bluffs bladderpod, and Dudley Bluffs twinpod. 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. We specifically request information regarding data from any systematic surveys, as well as any studies or analysis of data that may show population size or trends; information pertaining to the biology or ecology of the species; information

regarding the effects of current land management on population distribution and abundance; and recent information regarding conservation measures that have been implemented to benefit the species. Additionally, we specifically request information regarding the current distribution of populations and evaluation of threats faced by the species in relation to the five listing factors (as defined in section 4(a)(1) of the Act) and each species listed status as judged against the definition of threatened or endangered. Finally, we solicit recommendations pertaining to the development of or potential updates to recovery plans and additional actions or studies that would benefit these species in the future.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home addresses from the supporting record, which we will honor to the extent allowable by law. However, we will not consider anonymous comments. We will make all 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.

How Are These Species Currently Listed?

The List of Endangered and Threatened Wildlife and Plants (List) is found in 50 CFR 17.11 (wildlife) and 17.12 (plants). Amendments to the List through final rules are published in the **Federal Register**. The List also is available on our Internet site at <http://endangered.fws.gov/wildlife.html#Species>. In Table 1 below, we provide a summary of the listing information for the species under active review.

TABLE 1.—SUMMARY OF LISTING INFORMATION FOR KENDALL WARM SPRINGS DACE, DUDLEY BLUFFS BLADDERPOD, AND DUDLEY BLUFFS TWINPOD

Species		Historic range	Where endangered or threatened	Status	When listed	Critical habitat	Special rules
Common name	Scientific name						
* PLANTS *		*	*	*	*		*
Twinpod, Dudley Bluffs.	<i>Physaria obcordata</i>	U.S.A. (CO)	Entire	T	374	NA	NA
Dudley Bluffs bladderpod.	<i>Lesquerella congesta</i> .	U.S.A. (CO)	Entire	T	374	NA	NA
* FISH *		*	*	*	*		*
Dace, Kendall Warm Springs.	<i>Rhinichthys osculus thermalis</i> .	U.S.A. (WY)	Entire	E	2	NA	NA
* *		*	*	*	*		*

Definitions Related to This Notice

The following definitions are provided to assist those persons who contemplate 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 five following 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. Section 4(a)(1) of the Act requires that our determination be made on the basis of the best scientific and commercial data available.

What Could Happen as a Result of This Review?

If we find that there is new information concerning Kendall Warm Springs dace, Dudley Bluffs bladderpod, and Dudley Bluffs twinpod indicating 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) remove the species from the List. If we determine that a change in classification is not warranted, then these species will remain on the List under their current status.

Authority

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: August 15, 2006.

James J. Slack,
Regional Director, Denver, Colorado.

[FR Doc. 06-7924 Filed 9-19-06; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Draft Safe Harbor Agreement and Application for an Enhancement of Survival Permit for the Tempe Reach of the Rio Salado Environmental Restoration Project

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of availability; receipt of application; request for comments.

SUMMARY: The City of Tempe (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an enhancement of survival permit. The requested permit, which is for a period of 50 years, would authorize incidental take of Yuma clapper rail (*Rallus longirostris yumanensis*), southwestern willow flycatcher (*Empidonax traillii extimus*), and bald eagle (*Haliaeetus leucocephalus*) as a result of operation and maintenance activities associated with the Rio Salado Project. We invite public comment.

DATES: To ensure consideration, written comments must be received on or before October 20, 2006.

ADDRESSES: Persons wishing to review the application, draft Safe Harbor Agreement (SHA), or other related documents may obtain a copy by written or telephone request to the Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951 (602/242-0210). Electronic copies of these documents will also be available for review on the Arizona Ecological Services Office Web site, <http://www.fws.gov/arizonaes/>. The application and related documents will be available for public inspection, by appointment only, during normal business hours (8 a.m. to 4:30 p.m.) at the Service's Phoenix office. Comments concerning the application, draft SHA, or other related documents should be submitted in writing to the Field Supervisor (address above) or by fax to (602) 242-2513. Please refer to permit number TE-133286-0 when submitting comments. All comments received, including names and addresses, will become a part of the official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT:

Mike Martinez at the U.S. Fish and Wildlife Service, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951, 602/242-0210 x224, or by email at Mike_Martinez@fws.gov.

SUPPLEMENTARY INFORMATION: The Applicant has applied to the Service for an enhancement of survival permit pursuant to Section 10(a)(1)(A) of the Endangered Species Act (Act), as amended.

The Applicant plans to conduct operation and maintenance activities associated with the Rio Salado Project, including maintenance of habitat vegetation; reintroduction of non-listed species into created habitat; maintenance and operation of urban park and landscaping; maintenance of trails, paths, and service roads; maintenance of water quality and flood control capability within the Salt River, Indian Bend Wash, and Tempe Town Lake; the planning, development, and operation of urban (public and private) development adjacent to the Tempe Town Lake; and operation of events on Tempe Town Lake and within the linear park adjacent to Tempe Town Lake. The Rio Salado Project is a cooperative project between the Applicant and the U.S. Army Corps of Engineers to restore, enhance, and maintain 182 acres of native riparian and wetland vegetation along the Salt River from McClintock Drive to Priest Drive (excluding Tempe Town Lake) and Indian Bend Wash from McKellips Road to the confluence with the Salt River.

A final rule to delist the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) was published in the **Federal Register** on April 14, 2006 (71 FR 19452). As a non-listed species, the cactus ferruginous pygmy-owl cannot be a covered species in the SHA. However, the Applicant intended that the species be covered in the SHA and will continue to provide the same conservation measures originally described in the agreement.

Section 9 of the Act prohibits take of threatened or endangered species. However, the Service, under limited circumstances, may issue permits to take threatened and endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities.

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22), and the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Christopher Todd Jones,

Acting Regional Director, Region 2,
Albuquerque, New Mexico.

[FR Doc. 06-8006 Filed 9-19-06; 8:45 am]

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