

collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

*Title of Proposal:* Subterranean Termite Treatment Builder's Certification and Guarantee, and the New Construction Subterranean Termite Soil Treatment Record.

*OMB Control Number, if applicable:* 2502-0525.

*Description of the need for the information and proposed use:* HUD's collection of this information permits the NPCA-99-A to establish the builder's warranty against termites for a period of one year bringing it into conformance with other builder warranties HUD requires for newly constructed housing. The NPCA-99-B is submitted to the builder of new homes when the soil treatment method is used for termite prevention.

*Agency form numbers, if applicable:* HUD-NPCA-99-A, and HUD-NPCA-99-B.

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:* The estimated number of respondents is 54,000 generating 54,000 annual responses, frequency of response is on occasion, the estimated time per response varies from approximately 5 minutes to 15 minutes, and the estimated annual burden hours requested is 8,910.

*Status of the proposed information collection:* Currently approved.

**Authority:** The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: June 3, 2005.

**Frank L. Davis,**

*General Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner.*

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**BILLING CODE 4210-27-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Endangered and Threatened Wildlife and Plants; 5-Year Review of 10 Southeastern Species

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces a 5-year review of the Key deer (*Odocoileus virginianus clavium*), St. Andrew beach mouse (*Peromyscus polionotus*

*peninsularis*), Florida panther (*Puma (=Felis) concolor coryi*), Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*), Okaloosa darter (*Etheostoma okaloosae*), beach jacquemontia (*Jacquemontia reclinata*), deltoid spurge (*Chamaesyce deltoidea* ssp. *deltoidea*), fringed campion (*Silene polypetala*), Small's milkpea (*Galactia smallii*), and tiny polygala (*Polygala smallii*) 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. 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, information submitted for our consideration must be received on or before August 22, 2005. However, we will continue to accept new information about any listed species at any time.

**ADDRESSES:** Information submitted on the St. Andrew beach mouse, Okaloosa darter, and fringed campion (a plant) should be sent to the Deputy Field Supervisor, Panama City Field Office, U.S. Fish and Wildlife Service, 1601 Balboa Avenue, Panama City, Florida 32405. Information about the remaining 7 species should be sent to the Field Supervisor, South Florida Field Office, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida 32960. Information received in response to this notice of review will be available for public inspection by appointment, during normal business hours, at the same addresses.

**FOR FURTHER INFORMATION CONTACT:**

Janet Mizzi at the Panama City, Florida, address above for the St. Andrew beach mouse, Okaloosa darter, and fringed campion (telephone, 850/769-0552, ext. 247), and Cindy Schulz at the above Vero Beach, Florida, address for the remaining 7 species (telephone, 772/562-3909, ext. 305).

**SUPPLEMENTARY INFORMATION:** Under the Act (16 U.S.C. 1533 *et seq.*), the Service maintains a list of endangered and threatened wildlife and plant species at 50 CFR 17.11 (for animals) 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. 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 federally listed as endangered: Key deer, St. Andrew beach mouse, Florida panther, Cape Sable seaside sparrow, Okaloosa darter, beach jacquemontia, deltoid spurge, fringed campion, Small's milkpea, and tiny polygala.

The List is found at 50 CFR 17.11 (wildlife) and 17.12 (plants) and is also available on our Internet site at <http://endangered.fws.gov/wildlife.html#Species>. Amendments to the List through final rules are published in the **Federal Register**.

#### What Information Is Considered in the Review?

A 5-year review considers all new information available at the time of the review. A 5-year review 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, and improved analytical methods.

### Specific Information Requested for the Florida Panther

We are especially interested in obtaining estimates of the extent of habitat loss, degradation, and fragmentation within Charlotte, Collier, Desoto, Glades, Hendry, Highlands, Lee, Okeechobee, Osceola, Polk, and Sarasota Counties, Florida. We specifically request information regarding habitat alteration due to conversions to agricultural, residential, or urban uses or land use intensification, especially for uplands. We also seek information on nocturnal habitat use by panthers to determine differences from diurnal use.

### Specific Information Requested for the Key Deer

We are especially interested in information on habitat relationships for the Key deer, including foraging ecology, fire ecology, and plant community dynamics. We also seek information on the Key deer population size, number of subpopulations, sex ratio, age structure, population viability, habitat condition and availability, dispersal, and level of threats to the Key deer on Big Pine and No Name Keys and other islands within its historic range.

### Specific Information Requested for the St. Andrew Beach Mouse

We are especially interested in information on threats to the species, status of the species, genetics relative to subspecies status, and conservation measures. We specifically request any recent information regarding the status of the species post-Hurricane Ivan.

### Specific Information Requested for the Okaloosa Darter

We are especially interested in information on the status of the Okaloosa darter in areas outside the boundaries of Eglin Air Force Base (EAFB), Florida. We specifically request any information on threats to the species and its habitat, including the areas in the Turkey Creek, Swift Creek, and East Turkey Creek watersheds not within the boundaries of EAFB. We are also interested in conservation measures in these same areas that may have benefited the Okaloosa darter.

### Specific Information Requested for the Beach Jacquemontia

We are especially interested in information on management practices being implemented in Palm Beach, Broward, and Miami-Dade Counties for beach erosion. We specifically request any recent information regarding beach nourishment projects and dune stabilization. We are also interested in

obtaining an estimate of the degree of beach erosion that occurred as a result of the 2004 hurricane season and any changes in management practices that were made as a result of the storms.

### Specific Information Requested for the Deltoid Spurge

We are especially interested in information on the status of this species in pine rocklands of Miami-Dade County, Florida. We specifically request any recent information regarding its responses to prescribed fire, control of exotic pest plants, and other management actions on conservation lands.

### Specific Information Requested for the Small's Milkpea

We are especially interested in information on the status of this species in pine rocklands of Miami-Dade County, Florida. We specifically request any recent information regarding the responses of this plant to prescribed fire and to methods used to control exotic pest plants and encroaching native hardwoods.

### Specific Information Requested for the Tiny Polygala

We are especially interested in information on the status of this species in Miami-Dade, Broward, Palm Beach, and Martin Counties, Florida. We specifically request any recent information regarding its responses to prescribed fire, control of exotic pest plants, and other management actions on conservation lands.

### 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 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.

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 any of these 10 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 these species will remain on the List under their current status.

### Public Solicitation of New Information

We request any new information concerning the status of these 10 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. Individual respondents may request that we withhold their home addresses from the supporting record, which we will honor to the extent allowable by law. There also may be circumstances in which we may withhold from the supporting record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will not consider anonymous comments, however. 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.

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

Dated: May 26, 2005.  
**Cynthia K. Dohner,**  
*Acting Regional Director, Southeast Region.*  
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**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[WO-310-1310-PB-24 1A; OMB Control Number 1004-0185]

**Information Collection Submitted to the Office of Management and Budget Under the Paperwork Reduction Act**

The Bureau of Land Management (BLM) has submitted the proposed collection of information listed below to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). On June 8, 2004, the BLM published a notice in the **Federal Register** (69 FR 32039) requesting comments on this proposed collection. The comment period ended on August 9, 2004. The BLM received no comments. You may obtain copies of the proposed collection of information

and related forms and explanatory material by contacting the BLM Information Collection Clearance Officer at the telephone number listed below.

The OMB is required to respond to this request within 60 days but may respond after 30 days. For maximum consideration your comments and suggestions on the requirement should be made within 30 days directly to the Office of Management and Budget, Interior Department Desk Officer (1004-0185), at OMB-OIRA via facsimile to (202) 395-6566 or e-mail to *OIRA\_DOCKET@omb.eop.gov*. Please provide a copy of your comments to the Bureau Information Collection Clearance Officer (WO-630), Bureau of Land Management, Eastern States Office, 7450 Boston Blvd., Springfield, Virginia 22153.

*Nature of Comments:* We specifically request your comments on the following:

1. Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;
2. The accuracy of the BLM's estimate of the burden of collecting the

information, including the validity of the methodology and assumptions used;

3. The quality, utility and clarity of the information to be collected; and

4. How to minimize the burden of collecting the information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

*Title:* Oil and Gas Exploration, Leasing, and Drainage Operations (43 CFR 3100, 3120, 3150, 3162).

*OMB Control Number:* 1004-0185.

*Bureau Form Number:* Nonform information.

*Abstract:* The Bureau of Land Management proposes to extend the currently approved collection of information to determine whether applicants are qualified to conduct oil and gas exploration and leasing activities. BLM will also determine if oil and gas lessees are ensuring that their leases are protected from drainage.

*Frequency:* On occasion.

*Description of Respondents:* Individuals, small businesses, and oil and gas exploration and drilling companies, lessees, and operators.

*Estimated Completion Time:*

Information collection	Requirement	Number of responses	Reporting hours per respondent	Total hours
3100.3-1	Notice of option holdings	30	1	30
3100.3-3	Option statement	50	1	50
3101.2-4(a)	Excess acreage petition	10	1	10
3101.2-6	Showing statement	10	1.5	15
3101.3-1	Joinder evidence statement	50	1	50
3103.4-1	Waiver, suspension, reduction of rental, etc	20	2	40
3105.2	Communization or drilling agreement	150	2	300
3105.3	Operating, drilling, development contracts interest statement	50	2	100
3105.4	Joint operations; transportation of oil applications	20	1	20
3105.5	Subsurface storage application	50	1	50
3106.8-1	Heirs and devisee statement	40	1	40
3106.8-2	Change of name report	60	1	60
3106.8-3	Corporate merger notice	100	2	200
3107.8	Lease renewal application	30	1	30
3108.1	Relinquishments	150	.5	75
3108.2	Reinstatement petition	500	.5	250
3109.1	Leasing under rights-of-way application	20	1	20
3120.1-1(e)	Lands available for leasing	280	2.5	700
3120.1-3	Protests and appeals	90	1.5	135
3152.1	Oil and gas exploration in Alaska application	20	1	20
3152.6	Data collection	20	1	20
3152.7	Completion of operations report	20	1	20
<b>Totals</b>		<b>1,770</b>		<b>2,235</b>

The table below summarizes the burden and cost estimates.

Type of analysis	Number analyses	Hours	Cost
Preliminary	1,000	2,000	\$60,000
Detailed	100	2,400	72,000
Additional	10	200	8,000