

toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Deitzer or from HUD's Web site at <http://www5.hud.gov:63001/po/i/icbts/collectionsearch.cfm>.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the Information collection described below. This notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the

proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated 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:* Opinion of Counsel to the Mortgagor.  
*OMB Approval Number:* 2510-0010.  
*Form Numbers:* HUD-91725, 91725-inst.  
*Description of the Need for the Information and Its Proposed Use:* The opinion is required to provide comfort to HUD and the mortgagee in multifamily rental and health care facility mortgage insurance transactions and similarly to HUD and owners in the capital advance transactions.  
*Frequency of Submission:* On occasion.

	Number of respondents	Annual responses	×	Hours per response	=	Burden hours
Respondents burden .....	700	1		1		700

*Total Estimated Burden Hours:* 700.  
*Status:* Extension of a currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: June 15, 2006.

**Lillian L. Deitzer,**

*Departmental Paperwork Reduction Act Officer, Office of the Chief Information Officer.*

[FR Doc. E6-9830 Filed 6-21-06; 8:45 am]

**BILLING CODE 4210-67-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Availability of the Draft Comprehensive Conservation Plan and Environmental Assessment for San Joaquin River National Wildlife Refuge**

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

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces that a Draft Comprehensive Conservation Plan and Environmental Assessment (Draft CCP/EA) for San Joaquin River National Wildlife Refuge (Refuge) is available for review and comment. This Draft CCP/EA, prepared pursuant to the National Wildlife Refuge System Administration Act, as amended, and the National Environmental Policy Act of 1969, describes the Service's proposal for managing the Refuge for the next 15 years. The draft compatibility determinations for several public uses are also available for review with the Draft CCP/EA.

**DATES:** Written comments must be received at the address below by July 24, 2006.

**ADDRESSES:** Comments on the Draft CCP/EA should be addressed to: Kim Forrest, Project Leader, San Joaquin River National Wildlife Refuge, 947-C West Pacheco Boulevard, Los Banos, California 93635. Comments may also be submitted via electronic mail to [FW8PlanComments@fws.gov](mailto:FW8PlanComments@fws.gov). Please type "San Joaquin River CCP" in the subject line.

**FOR MORE INFORMATION CONTACT:** Kim Forrest, Project Leader, San Joaquin River National Wildlife Refuge, 947-C West Pacheco Boulevard, Los Banos, California 93635 or Mark Pelz, Chief, Refuge Planning, CA/NV Operations Office, 2800 Cottage Way, W-1832, Sacramento, CA 95825, phone (916) 414-6500.

**SUPPLEMENTARY INFORMATION:** Copies of the Draft CCP/EA may be obtained by writing to the U.S. Fish and Wildlife Service, Attn: Mark Pelz, CA/NV Refuge Planning Office, 2800 Cottage Way, W-1832, Sacramento, CA 95825. Copies of the Draft CCP/EA may be viewed at this address or at San Joaquin River National Wildlife Refuge, 947-C West Pacheco Boulevard, Los Banos, CA. The Draft CCP/EA will also be available for viewing and downloading online at <http://www.fws.gov/pacific/planning>. Printed documents will also be available for review at the following libraries: Los Banos Branch Library, 1312 7th St, Los Banos, CA 93635; and Modesto Library 1500 "I" Street, Modesto, CA 95354.

**Background**

The San Joaquin River NWR was established in 1987 primarily to protect

and manage wintering habitat for Aleutian Canada geese, a federally listed endangered species. Since that time, the Refuge's focus has expanded to include protecting other sensitive species and restoring natural habitats and ecological processes. This Refuge and its management have been important factors in the recovery of the Aleutian Canada goose and its removal in 2001 from the Threatened and Endangered Species List. The Refuge is Located just west of Modesto, California.

**Purpose and Need for Action**

The purpose of the CCP is to provide a coherent, integrated set of management actions to help attain the Refuges' establishing purposes, and vision, goals, and objectives. The CCP identifies the Refuges' role in support of the mission of the National Wildlife Refuge System and describes the Service's management actions.

**Alternatives**

The Draft CCP/EA identifies and evaluates four alternatives for managing the Refuge for the next 15 years. The proposed action is to implement Alternative D as described in the EA. Alternative D best achieves the Refuges' purposes, vision, and goals; contributes to the Refuge System mission; addresses the significant issues and relevant mandates; and is consistent with principles of sound fish and wildlife management.

In Alternative A (No Action), existing management programs, which focus on Aleutian Canada goose, would continue unchanged. The Service would also continue the current visitor services program, which is limited to wildlife photography and observation from a

platform. Management for the benefit of Aleutian Canada geese is also central to the other three Alternatives. However, they also expand Refuge management for the benefit of additional wildlife and habitats. Alternative B places greater emphasis on wetland restoration and management and would expand visitor services for all priority public uses, including fishing and hunting. Alternative C focuses on restoration and management of riparian habitats and providing non-consumptive wildlife-dependant recreation opportunities. Alternative D, the preferred alternative, includes a balance of wetland and riparian restoration and management and expands opportunities for all priority public uses, including fishing and hunting.

### Public Comments

After the review and comment period ends for this Draft CCP/EA, comments will be analyzed by the Service and addressed in the Final CCP. All comments received from individuals, including names and addresses, become part of the official public record and may be released. Requests for such comments will be handled in accordance with the Freedom of Information Act, the Council on Environmental Quality's NEPA regulations and other Service and Departmental policies and procedures.

Dated: June 16, 2006.

#### Ken McDermond,

*Acting Manager, California/Nevada Operations, Sacramento, California.*

[FR Doc. E6-9848 Filed 6-21-06; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Marine Mammals; Incidental Take During Specified Activities

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

**ACTION:** Notice of receipt of application and proposed incidental harassment authorization; request for comments.

**SUMMARY:** The Fish and Wildlife Service (Service) has received an application from the University of Texas at Austin Institute for Geophysics (UTIG) for authorization to take small numbers of marine mammals by harassment incidental to conducting a marine seismic survey in the Arctic Ocean, including the Chukchi Sea, from approximately July 15 through August 25, 2006. In accordance with provisions of the Marine Mammal Protection Act

(MMPA), as amended, the Service requests comments on its proposed authorization for the applicant to incidentally take, by harassment, small numbers of Pacific walrus and polar bears in the Chukchi Sea during the seismic survey.

**DATES:** Comments and information must be received by July 24, 2006.

**ADDRESSES:** You may submit comments by any of the following methods:

1. By mail to: Craig Perham, Office of Marine Mammals Management, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503.

2. By fax to: 907-786-3816.

3. By electronic mail (e-mail) to: [FW7MMM@FWS.gov](mailto:FW7MMM@FWS.gov). Please submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Please also include your name and return address in your message. If you do not receive a confirmation from the system that we have received your message, contact us directly at U.S. Fish and Wildlife Service, Office of Marine Mammals Management, 907-786-3810 or 1-800-362-5148.

4. By hand-delivery to: Office of Marine Mammals Management, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503.

#### FOR FURTHER INFORMATION CONTACT:

Craig Perham, Office of Marine Mammals Management, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, Alaska 99503; telephone 907-786-3810 or 1-800-362-5148; or e-mail [craig\\_perham@FWS.gov](mailto:craig_perham@FWS.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

Sections 101(a)(5)(A) and (D) of the MMPA, as amended, (16 U.S.C. 1371(a)(5)(A) and (D)) authorize the Secretary of the Interior to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region provided that certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review and comment.

Authorization to incidentally take marine mammals may be granted if the Service finds that the taking will have a negligible impact on the species or stock(s), and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. Permissible methods of taking and other means of affecting the least practicable impact on the

species or stock and its habitat, and requirements pertaining to the monitoring and reporting of such takings, are prescribed as part of the authorization process.

The term "take," as defined by the MMPA, means to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal. Harassment, as defined by the MMPA, means "any act of pursuit, torment, or annoyance which—(i) has the potential to injure a marine mammal or marine mammal stock in the wild [the MMPA calls this Level A harassment]; or (ii) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering [the MMPA calls this Level B harassment]."

The terms "small numbers," "negligible impact," and "unmitigable adverse impact" are defined in 50 CFR 18.27, the Service's regulations governing take of small numbers of marine mammals incidental to specified activities. "Small numbers" is defined as "a portion of a marine mammal species or stock whose taking would have a negligible impact on that species or stock." "Negligible impact" is defined as "an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival." "Unmitigable adverse impact" is defined as "an impact resulting from the specified activity (1) that is likely to reduce the availability of the species to a level insufficient for a harvest to meet subsistence needs by (i) causing the marine mammals to abandon or avoid hunting areas, (ii) directly displacing subsistence users, or (iii) placing physical barriers between the marine mammals and the subsistence hunters; and (2) that cannot be sufficiently mitigated by other measures to increase the availability of marine mammals to allow subsistence needs to be met."

Section 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals where the take will be limited to harassment. Section 101(a)(5)(D)(iii) establishes a 45-day time limit for Service review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of marine mammals. Within 45 days of the close of the comment period, the Service must