

Comments may also be submitted to DHS via facsimile to 202-272-8352, or via e-mail at [rfs.regs@dhs.gov](mailto:rfs.regs@dhs.gov). When submitting comments by e-mail add the OMB Control Number 1615-0016 in the subject box.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the 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 agencies estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

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

#### Overview of This Information Collection

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Application for Advance Permission to Return to Unrelinquished Domicile.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I-191. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or Households. The information collected on this form will be used by U.S. Citizenship and Immigration Services to determine whether the applicant is eligible for discretionary relief under section 212(c) of the Act.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 300 responses at 15 minutes (.25 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 75 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument, please contact USCIS,

Regulatory Management Division, 111 Massachusetts Avenue, NW., Suite 3008, Washington, DC 20529, telephone 202-272-8377.

Dated: November 27, 2006.

**Stephen Tarragon,**

*Deputy Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security.*

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**BILLING CODE 4410-10-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the Oakmont Industrial Group Development, City of Ontario, San Bernardino County, CA

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

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** The Oakmont Industrial Group (Applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act) of 1973, as amended. The Service is considering issuing a 5-year permit to the Applicant that would authorize take of the federally endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*; DSF). The proposed permit would authorize the incidental taking of individual DSF. The permit is needed by the Applicant because take of DSF could occur during the proposed construction of a commercial development on a 19-acre site in the City of Ontario, San Bernardino County, California.

The permit application includes the proposed Habitat Conservation Plan (Plan), which describes the proposed action and the measures that the Applicant will undertake to minimize and mitigate the impact of the take of the DSF.

**DATES:** We must review any written comments on or before January 29, 2007.

**ADDRESSES:** Send written comments to Mr. Jim Bartel, Field Supervisor, Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, CA 92011. You also may send comments by facsimile to (760) 918-0638. To review the permit application and plan, see "Availability of Documents" under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Ms. Karen Goebel, Assistant Field Supervisor (see **ADDRESSES**), (760) 431-9440.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

You may obtain copies of these documents for review by contacting the office under **ADDRESSES**. Documents also will be available for public inspection, by appointment, during normal business hours at our Carlsbad office (see **ADDRESSES**) and at the San Bernardino County Libraries. Addresses for the San Bernardino County Libraries are: (1) 13180 Central Avenue, Chino, CA 91710; (2) 2003 Grand Avenue, Chino Hills, CA 91709; (3) 16860 Valencia Avenue, Fontana, CA 92335; and (4) 104 West Fourth Street, San Bernardino, CA 92415.

##### Background

Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and Federal regulations prohibit the "take" of fish and wildlife species listed as endangered or threatened. Take of federally listed fish and wildlife is defined under the Act to include "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The Service may, under limited circumstances, issue permits to authorize incidental take (i.e., take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22.

The Applicant is proposing development of commercial facilities on 19 acres of land in the City of Ontario, San Bernardino County, California. The project site is located south of Greystone Drive, north of Brentstone Street, and west of Stanford Avenue. The proposed project site is bordered by existing commercial facilities to the east and west, State Route 60 to the south, and approximately 13 acres of open space to the north. Over the past several years, the site has experienced heavy use by off-highway vehicles.

Approximately 10 acres of the site are considered occupied by the DSF. The Service has determined that the proposed development would result in incidental take of the DSF. No other federally listed species are known to utilize the site.

To mitigate take of DSF on the project site, the Applicant proposes to purchase credits towards conservation in perpetuity of 10 acres of occupied DSF habitat at the Colton Dunes Conservation Bank in eastern San

Bernardino Valley. The conservation bank collects fees that fund a management endowment to ensure the permanent management and monitoring of sensitive species and habitats, including the DSF.

The Service's Environmental Assessment considers the environmental consequences of three alternatives, including: (1) The Proposed Project Alternative, which consists of issuance of the incidental take permit and implementation of the Plan; (2) the Alternative Site Layout, which would consist of DSF conservation on the project site and no offsite conservation; and (3) the No Action Alternative, which would result in no impacts to DSF and no conservation.

#### National Environmental Policy Act

Proposed permit issuance triggers the need for compliance with the National Environmental Policy Act (NEPA). Accordingly, a draft NEPA document has been prepared. The Service is the Lead Agency responsible for compliance under NEPA. As the NEPA lead agency, the Service is providing notice of the availability and is making available for public review the Environmental Assessment.

#### Public Review

The Service invites the public to review the Plan and Environmental Assessment during a 60-day public comment period (see **DATES**). Any comments received, including names and addresses, will become part of the official administrative record and may be made available to the public. Our practice is to make comments, including names, home addresses, home phone numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their names and /or homes addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organization or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

This notice is provided pursuant to section 10(a) of the Act and the regulations for implementing NEPA, as amended (40 CFR 1506.6). We will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of NEPA regulations and section 10(a) of the Act. If we determine that those requirements are met, we will issue a permit to the Applicant for the incidental take of the DSF. We will make our final permit decision no sooner than 60 days after the date of this notice.

Dated: November 23, 2006.

**Ken McDermond,**

*Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Notice of Scoping for Commercial Services Plan; Haleakala National Park, Maui, HI

*Summary:* Pursuant to requirements of the National Environmental Policy Act of 1969 (Pub. L. 91-190), the National Park Service is initiating the conservation planning and environmental impact analysis process regarding a commercial services plan proposed for Haleakala National Park. This Notice initiates scoping for the process that is expected to result in changes to the types of commercial services offered in the park and the way they are managed by the park. Haleakala National Park proposes to develop a long-term Commercial Services Plan (CSP) so that increasing visitor use may be accommodated in a manner compatible with the park's mission; and to assure that a full range of necessary and appropriate commercial services are developed and managed so that potential impacts to cultural and natural resources and visitor experience would be minimized. The CSP will be consistent with the park's mission and purpose statements and management goals as specified in legislation and as outlined in the Strategic Plan for Haleakala National Park (fiscal year 2005-2008).

*Background and Preliminary Issues:* Thus far, topics considered necessary to address in developing the CSP include: Assessing if, or the degree to which, commercial service uses of the park and overcrowding are contributing to the degradation of natural and cultural

resources, as well as adversely affecting visitor use and appreciation of the park; determining whether public health and safety are being compromised through uncontrolled uses of the park; and evaluating whether commercial services are operated in a manner that is consistent with the mission of the park and/or whether there is a consistent portrayal by commercial service operators of the park message.

Information from the public and interested groups is desired so that all pertinent issues and concerns which should be addressed in the conservation planning and environmental impact analysis for the CSP may be identified. At this time, the preliminary range of issues and public concerns deemed necessary to consider include the following:

Sunrise atop Haleakala is one of the most promoted tourist activities offered by the visitor industry on Maui. The Summit area of the park frequently receives over 1,300 visitors at sunrise. The concentration of visitor use has resulted in trampling of threatened and endangered plant species, increased social trailing resulting in accelerated erosion, and introduction of non-native species. Sunrise visitation has increased over the past decade to a point that visitors in private vehicles are turned away from parking areas filled beyond capacity on a regular basis by commercial vehicles. Members of the park's Kipuna Groups on Maui indicated that the sacredness of the Haleakala Summit area is diminished by too many people visiting the site, and opportunities to conduct cultural practices in peace are limited. More than one in five visitors to the Haleakala Visitor Center before 8 a.m. felt moderately or more crowded; more than one third of the visitors surveyed before 8 a.m. saw more people than they think the park should allow.

Throughout the day, there are other significant peaks of visitation that result in facilities at many park destinations being filled beyond capacity by visitors arriving in private vehicles or on commercial tours (often with simultaneous arrival of several commercial operators). When the parking areas are filled, health and safety concerns result due to inability of emergency vehicles (ambulance, law enforcement, and fire apparatus) to rapidly access these areas.

Other NPS concerns include degradation of various park trails resulting partially from commercial horse tour activities. In the Summit Area, trails are used jointly by hikers and by horse riders. The trails are located in fragile ecosystems where the