

and OMB are seeking comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed extension of 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 submission of responses.

*Title of Proposal:* Consolidated Plan & Annual Performance Report.

*Description of the Need for the Information and Proposed Uses:* The information is needed to provide HUD with preliminary assessment of compliance with statutory and regulatory requirements. A secondary need is informing citizens of the intended uses of formula grant funds and an evaluation of programmatic accomplishments.

*Agency Form Numbers (if applicable):* The Department's collection of this

information is in compliance with statutory provisions of the Cranston-Gonzalez National Affordable Housing Act of 1990 that requires the participating jurisdictions submit a Comprehensive Housing Affordability Strategy (Section 105), the 1974 Housing and Community Development Act, as amended, that requires states and localities to submit a Community Development Plan (Section 104 (b)(4) and Section 104 (b)(m) and statutory provisions of these Acts that require states and localities to submit annual plans and reports for these formula grant programs.

*Members of the Affected Public:* State and local governments participating in the Community Development Block Grant Program (CDBG), the HOME Investment Partnerships (HOME) program, the Emergency Shelter Grants (ESG) program, or the Housing Opportunities for Persons with AIDS/HIV (HOPWA) program.

*Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response and hours of response:* Under a previous submission, OMB Control Number 2506-0117, the burden of meeting the regulatory requirements of Title I of the National Affordable Housing Act (NAHA) and the Housing and

Community Development Act (HCDA) were assessed. That submission was approved until March 31, 2008. In 2002, the President's Management Agenda directed HUD to work with local stakeholders to streamline the consolidated plan, making it more results-oriented and useful to communities in assessing their own progress toward addressing the problems of low-income areas. The Department carefully considered ideas generated by several working groups that were established to explore alternative planning requirements and suggestions for improving the consolidated plan.

A number of suggested alternative formats allowed jurisdictions to cross-reference other existing local documents and experiment with different visual formatting tools such as tables, graphs, bullet points, and appendices. The outcome was a streamlined, user-friendly document. In addition, the revision established some new requirements involving the development and implementation of an outcome measurement framework to meet local needs as well as outcomes that can be aggregated on a national basis. The net result did not result in a net change in burden hours.

The paperwork estimates are as follows:

Task	Number of respondents	Frequency of response	Total U.S. burden hours
Consolidated Plan			
Localities:			
• Strategic Plan Development .....	1,000	1	220,000
• Action Plan Development .....	1,000	1	112,000
States:			
• Strategic Plan Development .....	50	1	30,200
• Action Plan Development .....	50	1	18,700
Performance Report:			
Localities .....	1,000	1	162,000
States .....	50	1	12,600
*Abbreviated Strategy .....	100	.....	8,200
Total .....	.....	.....	563,700

*Status of the proposed information collection:* Extension of previously approved collection for which approval is near expiration and the request for OMB's approval for three years. The current OMB approval expires March 31, 2008.

**Authority:** Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: November 9, 2007.

**Nelson Bregón,**

*General Deputy Assistant Secretary for Community Planning and Development.*

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**BILLING CODE 4210-67-P**

**DEPARTMENT OF INTERIOR**

**Fish and Wildlife Service**

**Proposed Safe Harbor Agreement for the California Red-Legged Frog for Landowners Restoring Aquatic and Riparian Habitat in the Pine Gulch Creek Watershed in Marin County, CA**

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

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

**SUMMARY:** This notice advises the public that the Marin County Agriculture Commission (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an enhancement of survival permit pursuant to Section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). The permit application includes a proposed Safe Harbor Agreement (Agreement) between the Applicant and the Service for the threatened California red-legged frog (*Rana aurora draytonii*). The Agreement and permit application are available for public comment.

**DATES:** Written comments should be received on or before December 19, 2007.

**ADDRESSES:** Comments should be addressed to Rick Kuyper, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Written comments may be sent by facsimile to (916) 414-6712.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick Kuyper, Sacramento Fish and Wildlife Office (see **ADDRESSES**); telephone: (916) 414-6600.

**SUPPLEMENTARY INFORMATION:**

**Availability of Documents**

You may obtain copies of the documents for review by contacting the individual named above. You may also make an appointment to view the documents at the above address during normal business hours.

**Public Availability of Comments**

Before including your address, phone number, e-mail 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 from public review, we cannot guarantee that we will be able to do so.

**Background**

Under a Safe Harbor Agreement, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Act. Safe Harbor Agreements, and the subsequent enhancement of survival permits that are issued pursuant to Section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*), encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring property owners that they will

not be subjected to increased land use restrictions as a result of efforts to attract or increase the numbers or distribution of a listed species on their property. Application requirements and issuance criteria for enhancement of survival permits through Safe Harbor Agreements are found in 50 CFR 17.22(c).

We have worked the Applicant to develop this proposed Programmatic Agreement for the conservation of the California red-legged frog in the 7.5 square-mile Pine Gulch Creek Watershed in Marin County, California. The properties subject to this Agreement consist of approximately 4,800 acres of non-Federal properties within the Pine Gulch Creek Watershed, on which habitat for the California red-legged frog will be created, enhanced, and managed pursuant to a written agreement between the Service, Marin County Agriculture Commission, and property owners in the Pine Gulch Creek Watershed.

This Agreement provides for the creation of a Program in which private landowners (Cooperators) enter into written cooperative agreements with the Applicant pursuant to the terms of the Agreement, to restore, enhance, and maintain aquatic and riparian habitat in ways beneficial to the California red-legged frog. Such cooperative agreements will be for a term of at least 10 years. The proposed duration of the Agreement is 30 years, and the proposed term of the enhancement of survival permit is 30 years. The Agreement fully describes the proposed management activities to be undertaken by Cooperators and the conservation benefits expected to be gained for the California red-legged frog.

Upon approval of this Agreement, and consistent with the Service's Safe Harbor Policy published in the **Federal Register** on June 17, 1999 (64 FR 32717), the Service would issue a permit to the Marin County Agriculture Commission authorizing take of the California red-legged frog by Cooperators incidental to the implementation of the management activities specified in the cooperative agreements, incidental to other lawful uses of the properties, including normal routine land management activities, and/or to return to pre-Agreement conditions (baseline).

To benefit the California red-legged frog, Cooperators will agree to undertake site-specific management activities, which will be specified in their written cooperative agreements. Management activities that could be included in the Cooperative Agreements will provide for the enhancement, restoration, and/or maintenance of aquatic and riparian

habitat. These activities have been designed to enhance California red-legged frog populations by creating and improving breeding habitat, managing vegetation and grazing as appropriate, controlling non-native predators, and managing agriculture and recreation as appropriate to benefit populations of California red-legged frog. Take of California red-legged frog incidental to the aforementioned activities is unlikely; however, it is possible that in the course of such activities or other lawful activities on the enrolled property, a Cooperator could incidentally take a California red-legged frog, thereby necessitating take authority under the permit.

The California red-legged frog relies on a variety of habitats for various stages of its life cycle, including pond and riparian habitat, upland habitat and moist refuges. Baseline conditions, consisting of a description and survey to determine the quantity and location of suitable California red-legged frog habitat, shall be determined for each enrolled property as provided in the Agreement. In order to receive the above assurances regarding incidental take of the California red-legged frog, a Cooperator must maintain baseline on the enrolled property. The Agreement and requested enhancement of survival permit will allow each Cooperator to return to baseline conditions after the end to the term of the 10-year cooperative agreement and prior to the expiration of the 30-year permit, if so desired by the Applicant and Cooperator.

Consistent with the Service's Safe Harbor Policy (64 FR 32717), the proposed Agreement and requested permit also extend certain assurances to those lands that are immediately adjacent to lands on which restoration activities occur. To receive such assurances, a neighboring landowner must enter into a written agreement with the Service that specifies the baseline conditions on the property. This written agreement remains in effect until the expiration of the 30-year Agreement between the Applicant and the Service and requires the neighboring landowner to maintain the baseline conditions established at the start of the agreement.

**Public Review and Comments**

The Service has made a preliminary determination that the proposed Agreement and permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). We explain the basis for this determination in the

Environmental Action Statement, which is also available for public review.

Individuals wishing copies of the permit application, copies of our preliminary Environmental Action Statement, and/or copies of the full text of the Agreement, including a map of the proposed permit area, references, and legal descriptions of the proposed permit area, should contact the office and personnel listed in the **ADDRESSES** section above.

If you wish to comment on the permit application or the Agreement, you may submit your comment to the address listed in the **ADDRESSES** section of this document. Comments and materials received, including names and addresses of respondents, will be available for public review, by appointment, during normal business hours at the address in the **ADDRESSES** section above and will become part of the public record, pursuant to section 10(c) of the Act. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the 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. Anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

We will evaluate this permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations at 40 CFR 1506.6. If we determine that the requirements are met, we will sign the proposed Agreement and issue and enhancement of survival permit under section 10(a)(1)(A) of the Act to the Applicants for take of the California red-legged frog incidental to otherwise lawful activities in accordance with the terms of the Agreement. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: November 8, 2007.

**Susan K. Moore,**

*Field Supervisor, Sacramento Fish and Wildlife Office, Sacramento, California.*

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**BILLING CODE 4310-55-M**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Draft Revised Recovery Plan for the Attwater's Prairie-Chicken (*Tympanuchus cupido attwateri*)

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

**ACTION:** Notice of document availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of the draft revised recovery plan for the Attwater's prairie-chicken (*Tympanuchus cupido attwateri*). This is the second revision of the recovery plan for this species; the original was completed in 1983. We are soliciting review and comment from the public on this draft revised recovery plan.

**DATES:** To ensure consideration, we must receive comments by January 18, 2008.

**ADDRESSES:** You may obtain copies of the recovery plan on CD from the Refuge Manager, U.S. Fish and Wildlife Service, Attwater Prairie Chicken National Wildlife Refuge, P.O. Box 519, Eagle Lake, Texas 77434, or download it from the Internet at <http://www.fws.gov/Endangered> (type "Attwater's" in the species search field).

**FOR FURTHER INFORMATION CONTACT:**

Terry Rossignol, Refuge Manager, Attwater Prairie Chicken National Wildlife Refuge, P.O. Box 519, Eagle Lake, Texas 77434; telephone 979-234-3021, ext. 13, facsimile 979-234-3278, e-mail: [terry\\_rossignol@fws.gov](mailto:terry_rossignol@fws.gov).

**SUPPLEMENTARY INFORMATION:**

#### Background

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that public notice and an opportunity for public review and comment be provided during recovery plan development. The Service considers all information provided during a public comment period prior to approval of each new or revised recovery plan. The Service and others take these comments into account in the course of implementing recovery plans.

The Attwater's prairie-chicken was listed as Endangered with Extinction in 1967. This listing was "grandfathered" into the Endangered Species Act of 1973. Critical habitat has not been designated for this species. Attwater's prairie-chickens occur only in coastal prairie habitats of Texas in the United States. Fewer than 50 individuals exist in the wild at 2 locations, and approximately 150 Attwater's are in captivity at 7 sites. With so few individuals surviving, the population remains in imminent danger of extinction. Habitat destruction and degradation, and to a lesser extent over harvesting, are the primary factors contributing to historic population declines. Current threats include extremely small populations, habitat and population fragmentation resulting in genetic isolation, diseases and parasites in both the wild and captive setting, inability of captive breeding facilities to produce large numbers of captive-reared birds that are capable of survival and reproduction in wild habitats, and poor brood survival in wild populations.

The revised recovery plan includes scientific information about the species and provides objectives and actions needed to recover the Attwater's prairie-chicken and ultimately remove it from the list of threatened and endangered species. Recovery actions designed to achieve these objectives include restoration of a network of large, high quality grasslands within a large (greater than 100 linear miles) geographic area to minimize threats from catastrophic weather and allow for gene flow among populations, maintenance of 90 percent of original gene diversity in a captive flock of 200 for 20 years, increasing production of the captive flock to allow for release at multiple sites, establishment of multiple greater than 500-bird populations within the grassland network, and broadening public support and partner efforts to conserve the Attwater's and its coastal prairie ecosystem.

The current recovery goal is to protect and ensure the survival of the Attwater's prairie-chicken and its habitat, allowing the population to reach a measurable level of ecological and genetic stability so that it can be reclassified to threatened status (downlisted) and ultimately removed from the endangered species list (delist). Downlisting can be considered when the population maintains a minimum of 3,000 breeding adults annually over a 5-year period. These birds should be distributed along a linear distance of no less than 50 miles to mitigate for environmental stochasticity (e.g.,