

amendment of the geographic scope of the permit to include the states within Region 5 of the Service: Connecticut, Delaware, Maine, Maryland, Massachusetts, Pennsylvania, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia, and West Virginia. Proposed activities under this permit application include surveys to document species' presence or absence in areas proposed for wind-energy development, studies to document habitat use, collection of echolocation data and hair/tissue sampling for scientific research. The applicant's proposed activities are aimed at enhancement of the survival of the species in the wild.

*Permit Application Number:* TE839777-11.

*Applicant:* Don Helms, Helms & Associates, Bellevue, Iowa.

The applicant requests a permit amendment to take (capture and release; capture and relocate) Higgins' eye pearlymussels and scaleshell mussels throughout the State of South Dakota. Proposed activities are for the enhancement of survival of the species in the wild.

*Permit Application Number:* TE02560A.

*Applicant:* Timothy C. Carter, Ball State University, Muncie, Indiana.

The applicant requests a permit renewal and amendment to take (capture and release; collect tissue samples) Indiana bats and gray bats throughout the States of Georgia, Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin. Proposed activities are for the enhancement of survival of the species in the wild.

*Permit Application Number:* TE02651A.

*Applicant:* The Ohio Department of Transportation, Columbus, Ohio.

The applicant requests a permit renewal to take (capture and release) Indiana bats and American burying beetles (*Nicrophorus americanus*) within the State of Ohio. Proposed activities to determine presence/absence of the species, to assess habitat use and monitor populations are for the enhancement of survival of the species in the wild.

#### Public Comments

We seek public review and comments on these permit applications. Please refer to the permit number when you submit comments. Comments and materials we receive are available for public inspection, by appointment, during normal business hours at the address shown in the **ADDRESSES** section. 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.

#### National Environmental Policy Act (NEPA)

In compliance with NEPA (42 U.S.C. 4321 *et seq.*), we have made an initial determination that the proposed activities in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

Dated: February 19, 2010.

**Lynn M. Lewis,**

*Assistant Regional Director, Ecological Services, Region 3.*

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#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

**[LLAK910000-L1310000.PP0000-L.X.SS.052L0000]**

##### Notice of Public Meeting, BLM—Alaska Resource Advisory Council

**AGENCY:** Bureau of Land Management, Alaska State Office, Interior.

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Alaska Resource Advisory Council (RAC) will meet as indicated below.

**DATES:** The meeting will be held April 6-7, 2010, in the Campbell Tract Facility at 4700 BLM Road, Anchorage, Alaska 99507. On April 6, the meeting starts at 1 p.m. in the training room. On April 7, the meeting begins in the same location at 9 a.m. and the council will accept public comment from 1-2 p.m.

**FOR FURTHER INFORMATION CONTACT:** Ruth McCoard, RAC Coordinator; BLM—Alaska State Office; 222 W. 7th Avenue, #13; Anchorage, AK 99513. Telephone 907-271-4418 or e-mail [ruth\\_mccoard@blm.gov](mailto:ruth_mccoard@blm.gov).

**SUPPLEMENTARY INFORMATION:** The 15-member Council advises the Secretary of the Interior, through the Bureau of

Land Management, on a variety of planning and management issues associated with public land management in Alaska. At this meeting, topics planned for discussion include:

- Election of Chair and Vice-Chair.
- Manager reports.
- Stimulus projects update.
- Alaska Land Information System.
- National Landscape Conservation System anniversary.
- Resource management planning.
- Other topics of interest to the RAC.

All meetings are open to the public. Depending on the number of people wishing to comment and time available, the time for individual oral comments may be limited, so be prepared to submit written comments if necessary. 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.

Individuals who plan to attend and need special assistance, such as sign language interpretation, transportation, or other reasonable accommodations, should contact the BLM RAC Coordinator listed above.

Dated: February 19, 2010.

**Thomas P. Lonnie,**

*State Director.*

[FR Doc. 2010-4115 Filed 2-26-10; 8:45 am]

**BILLING CODE 4310-JA-P**

#### DEPARTMENT OF THE INTERIOR

##### Bureau of Indian Affairs

##### Plan for the Use and Distribution of the Confederated Tribes of the Warm Springs Reservation of Oregon Judgment Funds in Docket 02-126L Before the United States Federal Court of Claims

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the plan for the use and distribution of the judgment funds awarded to the *Confederated Tribes of the Warm Springs Reservation of Oregon v. U.S.*, Docket No. 02-261L, is effective as of December 18, 2009. The judgment funds were awarded by the United States Court of Federal Claims on January 16, 2009. The Tribal Council of the

Confederated Tribes of the Warm Springs Reservation of Oregon enacted Tribal Resolution No. 10,997, on January 22, 2009, to accept the Tribal Use and Distribution Plan providing for the disposition of the settlement funds. Funds were appropriated on March 5, 2009.

**FOR FURTHER INFORMATION CONTACT:** Iris A. Drew, Bureau of Indian Affairs, Division of Tribal Government Services, 1001 Indian School Road, NW., Albuquerque, New Mexico 87104. Telephone number: (505) 563-3530.

**SUPPLEMENTARY INFORMATION:** On September 1, 2009, the plan for the use and distribution of the funds was submitted to Congress pursuant to the Indian Tribal Judgment Fund Act, 25 U.S.C. 1401 *et seq.* Receipt of the plan by the House of Representatives and the Senate was recorded in the Congressional Record on September 30, 2009, and September 8, 2009, respectively. The plan became effective on December 18, 2009, because a joint resolution disapproving it was not enacted. The plan reads as follows:

#### Plan

*For the Use and Distribution of the Confederated Tribes of the Warm Springs Reservation of Oregon Judgment Funds in Docket No. 02-126L*

The funds appropriated in satisfaction of the Settlement Agreement executed by the Confederated Tribes of the Warm Springs Reservation of Oregon and the United States Government in Docket No. 02-126L shall be used and distributed in accord with the terms of the Settlement Agreement. The settlement funds total Sixty-Eight Million Dollars (\$68,000,000.00). The terms of the Settlement Agreement specifying the use and distribution of the settlement funds are reflected below.

#### Tribal Programming

A. Thirty-two Million Dollars (\$32,000,000) of the settlement funds, as well as all income from the investment, shall be by the Tribe in its sole discretion for tribal operations and purposes (Settlement Agreement, paragraph 3.A.).

B. Twenty-nine Million Dollars (\$29,000,000) of the settlement funds, as well as all income from the investment, shall be used to fund the implementation of the Strategic Restoration Plan for the Natural Resources on the Warm Springs Reservation (Settlement Agreement, paragraph 3.B. and Exhibit B).

C. Six Million Dollars (\$6,000,000) of the settlement funds, as well as all income from the investment, shall be

used by the Tribe to pay for a baseline assessment of the current conditions of the Tribe's natural resources on its Reservation, (which shall include the forest, range, roads, watersheds, and cultural resources) and/or to reimburse the Tribe for attorneys fees and costs and expert fees and costs incurred by the Tribe (Settlement Agreement, paragraphs 3.C. and 6).

D. Seven Hundred and Fifty Thousand Dollars (\$750,000), as well as all income from the investment of such amount, shall be released to the Tribe for its sole discretion upon the Tribe's submission to the Interior Department, pursuant to 25 CFR 1000.17, 1000.20, 100.23 (2008), of a complete application that seeks self-governance over all of the forestry and natural resource management programs relating to the Tribe's On-Reservation Non-Monetary Trust Assets (Settlement Agreement, paragraph 3.D.).

E. Two Hundred and Fifty Thousand Dollars (\$250,000), as well as all income from the investment of such amount, shall be released to the Tribe for use as it decided at its sole discretion, upon the execution by the Tribe and the Interior Department of mutually acceptable annual funding agreement relating to the Self-governance responsibilities described in D. of the Settlement Agreement. If the Tribe and the Interior fail to execute a mutually acceptable annual funding agreement within twenty-four (24) months of the date of the Tribe's submission of its application, as set forth in Paragraph 3.D. of the Settlement Agreement, One Hundred and Twenty-Five Thousand Dollars (\$125,000), as well as all income from the investment of such amount, shall be released to the Tribe for use at its sole discretion (Settlement Agreement, paragraph 3.E.).

#### General Provisions

None of the funds distributed under this plan shall be subject to Federal or State income taxes, nor shall such funds nor their availability be considered as income or resources nor otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or member would otherwise be entitled under the social Security Act, or any Federal or federally assisted programs.

Dated: February 19, 2010.

**George T. Skibine,**

*Acting Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 2010-4119 Filed 2-26-10; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R9-IA-2010-N038; 96300-1671-0000-P5]

#### Receipt of Applications for Permit

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

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species, marine mammals, or both. With some exceptions, the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) prohibits activities with listed species unless a Federal permit is issued that allows such activities. Both laws require that we invite public comment before issuing these permits.

**DATES:** We must receive requests for documents or comments on or before March 31, 2010. We must receive requests for marine mammal permit public hearings, in writing, at the address shown in the **ADDRESSES** section by March 31, 2010.

**ADDRESSES:** Brenda Tapia, Division of Management Authority, U.S. Fish and Wildlife Service, 4401 North Fairfax Drive, Room 212, Arlington, VA 22203; fax (703) 558-7725; or e-mail [DMAFR@fws.gov](mailto:DMAFR@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Brenda Tapia, (703) 358-2104 (telephone); (703) 558-7725 (fax); [DMAFR@fws.gov](mailto:DMAFR@fws.gov) (e-mail).

#### SUPPLEMENTARY INFORMATION:

##### I. Public Comment Procedures

*A. How Do I Request Copies of Applications or Comment on Submitted Applications?*

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an e-mail or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your