

Threatened Wildlife and Plants (List). Recovery plans help guide our recovery efforts by describing actions we consider necessary for the species' conservation, and by estimating time and costs for implementing needed recovery measures. To achieve its goals, this draft recovery plan identifies the following objectives:

- Support the Mexican spotted owl throughout its range in perpetuity.
- Maintain habitat conditions necessary to provide roosting and nesting habitat for the Mexican spotted owl through time.

The draft revised recovery plan contains recovery criteria based on maintaining and increasing population numbers and habitat quality and quantity. The revised recovery plan focuses on protecting populations, managing threats, maintaining habitat, monitoring progress, and building partnerships to facilitate recovery.

As the subspecies meets recovery criteria, we will review the subspecies' status and consider removal from the List.

#### Request for Public Comments

Section 4(f) of the Act requires us to provide public notice and an opportunity for public review and comment during recovery plan development. It is also our policy to request peer review of recovery plans (July 1, 1994; 59 FR 34270). In an appendix to the approved recovery plan, we will summarize and respond to the issues raised by the public and peer reviewers. Substantive comments may or may not result in changes to the recovery plan; comments regarding recovery plan implementation will be forwarded as appropriate to Federal or other entities so that they can be taken into account during the course of implementing recovery actions. Responses to individual commenters will not be provided, but we will provide a summary of how we addressed substantive comments in an appendix to the approved recovery plan.

We invite written comments on the draft revised recovery plan. This plan has undergone significant revision since the original plan, incorporating the most recent scientific research specific to the Mexican spotted owl and input from the Recovery Team. In particular, we are interested in information regarding the current threats to the species and the costs associated with implementing the recommended recovery actions.

Before we approve the plan, we will consider all comments we receive by the date specified in **DATES** above. Methods of submitting comments are in the **ADDRESSES** section above.

#### 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.

Comments and materials we receive will be available, by appointment, for public inspection during normal business hours at our office (see **ADDRESSES**).

#### Authority

We developed our draft recovery plan under the authority of section 4(f) of the Act, 16 U.S.C. 1533(f). We publish this notice under section 4(f) Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: June 6, 2011.

Joy Nicholopoulos,

Acting Regional Director, Southwest Region.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-ES-2011-N126; 40120-1112-0000-F2]

#### Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application; Proposed Low-Effect Habitat Conservation Plan and Associated Documents; Charlotte County, FL

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

**ACTION:** Notice of availability; request for comment/information.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) application and Habitat Conservation Plan (HCP). James A. Goedde (applicant) requests an ITP under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 0.23 acre of Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) breeding, feeding, and sheltering habitat incidental to lot preparation for the construction of a single-family residence and associated infrastructure in Charlotte County, Florida (project). The destruction of 0.23 acre is expected to

result in the take of two families of scrub-jays. The applicant's HCP describes the mitigation and minimization measures proposed to address the effects of the project on the scrub-jay.

**DATES:** Written comments on the ITP application and HCP should be sent to the South Florida Ecological Services Office (see **ADDRESSES**) and should be received on or before July 25, 2011.

**ADDRESSES:** You may request documents by email, U.S. mail, or phone (see below). These documents are also available for public inspection by appointment during normal business hours at the office below. Send your comments or requests by any one of the following methods.

*E-mail:* Trish\_Adams@fws.gov. Use "Attn: Permit number TE45203A-0" as your message subject line.

*Fax:* Trish Adams, (772) 562-4288, Attn.: Permit number TE45203A-0.

*U.S. mail:* Trish Adams, HCP Coordinator, South Florida Ecological Services Field Office, Attn: Permit number TE45203A-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559.

*In-person drop-off:* You may drop off information during regular business hours at the above office address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, HCP Coordinator, South Florida Ecological Services Office, Vero Beach, Florida (see **ADDRESSES**), telephone: 772-562-3909, extension 232.

**SUPPLEMENTARY INFORMATION:** If you wish to submit comments or information, you may do so by any one of several methods. Please reference permit number TE45203A-0, in such comments. You may mail comments to the Service's South Florida Ecological Services Office (see **ADDRESSES**). You may also comment via e-mail to *trish\_adams@fws.gov*. Please also include your name and return address in your e-mail message. If you do not receive a confirmation from us that we have received your e-mail message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. Finally, you may hand deliver comments to the Service office listed under **ADDRESSES**.

Before including your address, phone number, e-mail address, or other personal identifying information in your comments, 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.

*Applicant's Proposed Project:* We received an application from the applicant for an incidental take permit, along with a proposed habitat conservation plan. The applicant requests a 15-year permit under section 10(a)(1)(B) of the Act (87 Stat.884; 16 U.S.C. 1531 *et seq.*). If we approve the permit, the applicant anticipates taking approximately 0.23 acre (0.1 hectares (ha)) of Florida scrub-jay breeding, feeding, and sheltering habitat incidental to land preparation for construction of a single family residence and associated infrastructure in Charlotte County, Florida.

Project construction would take place at latitude 26.9777, longitude -82.0096 in Harbor Heights, Charlotte County, Florida. This lot is within occupied scrub-jay habitat. In 1987, we listed this species as threatened (June 3, 1987; 52 FR 20715). The listing became effective July 6, 1987.

The applicant proposes to mitigate for the loss of 0.23 acre (0.1 ha) of occupied scrub-jay habitat by contribution of 0.46 acre (0.19 ha) of suitable scrub-jay habitat to nearby existing conservation lands within Charlotte County, along with a fee of \$1,380.00 for perpetual maintenance of the donated land, within 180 days of permit issuance or before the commencement of clearing and construction activities, whichever is sooner.

*Our Preliminary Determination:* The Service has made a preliminary determination that the applicant's project, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA) (40 CFR 1506.6), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1), and as defined in our Habitat Conservation Planning Handbook (November 1996). We base our determination that the project qualifies as a low-effect plan on the following three criteria: (1) Implementation of the project would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) Implementation of the project would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the plan, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects,

would not result, over time, in cumulative effects to environmental values or resources that would be considered significant. As more fully explained in our environmental action statement and associated Low Effect Screening Form, the applicant's proposed project qualifies as a "low-effect" project. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

*Next Steps:* The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP comply with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP. If it is determined that the requirements of the Act are met, the ITP will be issued for the incidental take of the Florida scrub-jay.

**Authority:** This notice is provided pursuant to Section 10 of the Endangered Species Act and NEPA regulations (40 CFR 1506.6).

Dated: June 14, 2011.

**Spencer Simon,**

*Acting Field Supervisor, South Florida Ecological Services Office.*

[FR Doc. 2011-15811 Filed 6-23-11; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R4-R-2010-N200; 40136-1265-0000-S3]**

#### **Buck Island, Green Cay, and Sandy Point National Wildlife Refuges, U.S. Virgin Islands; Final Comprehensive Conservation Plan and Finding of No Significant Impact for Environmental Assessment**

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

**ACTION:** Notice of availability.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of our final comprehensive conservation plan (CCP) and finding of no significant impact (FONSI) for the environmental assessment for Buck Island, Green Cay, and Sandy Point National Wildlife Refuges (NWRs). In the final CCP, we describe how we will manage these three refuges for the next 15 years.

**ADDRESSES:** You may obtain a copy of the CCP by writing to: Mr. Mike Evans, Refuge Manager, Sandy Point National Wildlife Refuge, 3013 Estate Golden Rock, Suite 137, Christiansted, VI 00820-4355. The CCP may also be accessed and downloaded from the Service's Web site: <http://southeast.fws.gov/planning/> under "Final Documents."

**FOR FURTHER INFORMATION CONTACT:** Mr. Mike Evans; telephone: 340/773-4554; e-mail: [Michael\\_Evans@fws.gov](mailto:Michael_Evans@fws.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Introduction**

With this notice, we finalize the CCP process for Buck Island, Green Cay, and Sandy Point NWRs. We started this process through a notice in the **Federal Register** on March 12, 2007 (72 FR 11046).

All three refuges are located in the United States Virgin Islands. Sandy Point NWR is situated on the southwestern tip of the island of St. Croix. Green Cay NWR is a small island located several hundred yards north of St. Croix, east of the city of Christiansted. Buck Island NWR is situated several miles south of the island of St. Thomas and the city of Charlotte Amalie. These three refuges are part of the Caribbean Islands National Wildlife Refuge Complex.

Sandy Point NWR provides critical nesting habitat for the federally endangered leatherback sea turtle. Its sandy beaches are also used for nesting by the federally endangered hawksbill sea turtle and the federally threatened green sea turtle. These same sea turtle species are also protected under Territory of the U.S. Virgin Islands regulations.

Green Cay NWR was established in 1977 to protect the federally endangered St. Croix ground lizard. This island refuge provides critical habitat for the largest remaining natural population of this species. Its extirpation from the main island of St. Croix, just several hundred yards away, is generally attributed to the modification and loss of shoreline habitat resulting from human activities and the introduction of predators, such as rats, cats, and dogs. The introduction of the exotic Indian mongoose likely completed the elimination of the species from St. Croix proper. As a result, this species is one of the rarest reptiles in the world and is unique to St. Croix island ecosystems. As part of a cooperative effort with the National Park Service, in May 2008, 57 individual St. Croix ground lizards were translocated to Buck Island Reef National Monument, several miles