

conduct certain activities with endangered species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended.

**DATES:** To ensure consideration, written comments must be received on or before July 7, 2008.

**ADDRESSES:** Written comments should be submitted to the Chief, Endangered Species Division, Ecological Services, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act. Documents will be available for public inspection, by appointment only, during normal business hours at the U.S. Fish and Wildlife Service, 500 Gold Ave. SW., Room 4102, Albuquerque, New Mexico. Please refer to the respective permit number for each application when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Chief, Endangered Species Division, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103, (505) 248-6920.

#### SUPPLEMENTARY INFORMATION:

##### 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.

##### Permit TE-175891

*Applicant:* Robert Burton, Winkelman, Arizona.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys of southwestern willow flycatcher (*Empidonax traillii extimus*) within Arizona.

##### Permit TE-051819

*Applicant:* Fort Worth Zoo, Fort Worth, Texas.

Applicant requests an amendment to a current permit to establish and maintain captive breeding facilities for Barton Spring salamander (*Eurycea sosorum*) and Houston toad (*Bufo houstonensis*) within the Fort Worth Zoo.

##### Permit TE-037118

*Applicant:* Scott Carroll, Tucson, Arizona.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct presence/absence surveys of southwestern willow flycatcher (*Empidonax traillii extimus*) within Arizona.

##### Permit TE-178778

*Applicant:* Jane Marks, Marks Lab of Aquatic Ecology, Northern Arizona University.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys of Gila topminnow (*Poeciliopsis occidentalis*) and razorback sucker (*Xyrauchen texanus*) within Fossil Creek and Gila Counties, Arizona.

##### Permit TE-794593

*Applicant:* Texas State Aquarium, Corpus Christi, Texas.

Applicant requests an amendment to a current permit for research and recovery purposes to hold and maintain brown pelicans (*Pelecanus occidentalis*) within the Texas State Aquarium.

##### Permit TE-014168

*Applicant:* Peter Sprouse, Buda, Texas.

Applicant requests an amendment to a current permit for research and recovery purposes to conduct presence/absence surveys of the following species: San Marcos salamander (*Eurycea nana*), Texas blind salamander (*Eurycea rathbuni*), Peck's Cave amphipod (*Stygobromus pecki*), Comal Springs dryopid beetle (*Stygoparnus comalensis*), Comal Springs riffle beetle (*Heterelmis comalensis*), and Mexican blindcat (catfish) (*Prietella phreatophila*) within Texas.

##### Permit TE-051832

*Applicant:* Phoenix Zoo, Phoenix, Arizona.

Applicant requests an amendment to a current permit to hold and maintain the following species: Mexican gray wolf (*Canis lupus baileyi*), thick-billed parrot (*Rhynchopsitta pachyrhyncha*), masked bobwhite quail (*Colinus virginianus ridgwayi*), speckled dace (*Rhinichthys osculus*), Gila topminnow (*Poeciliopsis occidentalis*), and desert pupfish (*Cyprinodon macularius*) within the Phoenix Zoo.

**Authority:** 16 U.S.C. 1531 *et seq.*

Dated: May 1, 2008.

**Thomas L. Bauer,**

*Acting Regional Director, Southwest Region, Fish and Wildlife Service.*

[FR Doc. E8-12466 Filed 6-3-08; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2008-N0109; 80221-1112-0000-F2]

#### Tehachapi Uplands Multi-Species Habitat Conservation Plan

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

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), we, the Fish and Wildlife Service (Service), advise the public of our intent to gather information necessary to prepare an Environmental Impact Statement (EIS) on the Tehachapi Uplands Multi-species Habitat Conservation Plan (MSHCP). Tejon Ranch is preparing the MSHCP to apply for a 50-year incidental take permit under Section 10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended, (Act). The permit is needed to authorize the incidental take of threatened and endangered species that could occur as a result of activities covered by the plan.

The Service provides this notice to (1) describe the proposed action and possible alternatives; (2) advise other Federal and State agencies, affected Tribes, and the public of our intent to prepare an EIS; (3) announce the initiation of a public scoping period; and (4) obtain suggestions and information on the scope of issues to be included in the EIS. Similar Notices of Intent were published on June 25, 2004 (69 FR 35663) and March 26, 2008 (73 FR 16052). This notice is being published to clarify the proposed action, to correct a previous **ADDRESSES** error, and to allow additional public input.

**DATES:** Written comments should be received on or before July 7, 2008.

**ADDRESSES:** Written comments submitted to Mary Grim, Section 10 Program Coordinator, U.S. Fish and Wildlife Service, 2800 Cottage Way, W-2605, Sacramento, CA 95825. Comments may also be sent by e-mail to [tu\\_hcp\\_eis@fws.gov](mailto:tu_hcp_eis@fws.gov). Comments previously received during previous public scoping periods will also be considered.

**FOR FURTHER INFORMATION CONTACT:** Mary Grim, U.S. Fish and Wildlife Service, at 916-414-6464.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 9 of the Act and Federal regulations prohibit the "take" of wildlife species listed as endangered or threatened (16 U.S.C. 1538). The Act

defines the term “take” as: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or to attempt to engage in such conduct (16 U.S.C. 1532). Harm includes significant habitat modification or degradation that actually kills or injures listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering [50 CFR 17.3(c)]. Pursuant to section 10(a)(1)(B) of the Act, the Service may issue permits to authorize “incidental take” of listed animal species. “Incidental Take” is defined by the Act as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing permits for threatened species and endangered species, respectively, are at 50 CFR 17.32 and 50 CFR 17.22. All species included on an incidental take permit would receive assurances under the Service’s “No Surprises” regulation [50 CFR 17.22(b)(5) and 17.32(b)(5)].

Species proposed for coverage in the HCP are species that are currently listed as federally threatened or endangered or have the potential to become listed during the life of this MSHCP and have some likelihood to occur within the project area. Should any of the unlisted covered wildlife species become listed under the Act during the term of the permit, take authorization for those species would become effective upon listing. Six plant species and 28 animal species are known to occur within the area and are proposed to be covered by the MSHCP. Species may be added to or deleted from the list of proposed covered species during the course of the development of the MSHCP based on further analysis, new information, agency consultation, and public comment. Currently, the MSHCP would include the following federally listed animal species: California condor (*Gymnogyps californianus*), least Bell’s vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), Valley elderberry longhorn beetle (*Democerus californicus dimorphus*), and Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*). The MSHCP would also include the following State listed and unlisted species: Tehachapi slender salamander (*Batrachoseps stebbinsi*), bald eagle (*Haliaeetus leucocephalus*), American peregrine falcon (*Falco peregrines anatum*), little willow flycatcher (*Empidonax traillii brewsteri*), golden eagle (*Aquila chrysaetos*), white-tailed kite (*Elanus leucorox*), ringtail (*Bassariscus astutus*), tricolored blackbird (*Agelaius tricolor*), California spotted owl (*Strix*

*occidentalis occidentalis*), Tehachapi pocket mouse (*Perognathus alticolus inexpectatus*), burrowing owl (*Athene cunicularia*), yellow-blotched salamander (*Ensatina eschscholtzi croceater*), western spadefoot (*Spea hammondi*), purple martin (*Progne subis*), northern goshawk (*Accipiter gentilis*), coast horned lizard (frontale and blainvilli populations) (*Phrynosoma coronatum*), Cooper’s hawk (*Accipiter cooperii*), yellow-breasted chat (*Icteria virens*), prairie falcon (*Falco mexicanus*), northern harrier (*Circus cyaneus*), long-eared owl (*Asio otus*), two-striped garter snake (*Thamnophis hammondi*), round-leaved filaree (*Erodium macrophyllum*), Fort Tejon woolly sunflower (*Eriophyllum lanatum* var. *hallii*), Kusche’s sandwort (*Amenaria macradenia* var. *kuschei*), Tehachapi buckwheat (*Eriogonum callistum*), American badger (*Taxidea taxus*), striped adobe lily (*Fritillaria striata*), and Tejon poppy (*Eschscholzia lemmonii* ssp. *Kernensis*).

Activities proposed to be covered by the MSHCP include limited private development; livestock grazing and range management; film production; maintenance and construction of underground utilities; recreation with the exception of hunting; existing commercial and residential improvements; farming and irrigation systems; repair, maintenance, and use of roads; and existing mineral extraction facilities. The MSHCP would not cover hunting, nor would it cover the lethal take of California condors. The MSHCP will propose a conservation strategy to minimize and mitigate to the maximum extent possible any impacts that would occur to covered species as the result of the covered activities.

#### Environmental Impact Statement

The EIS will consider the proposed action (i.e., the issuance of a section 10(a)(1)(B) permit under the Act), no action (no section 10 permit), and a reasonable range of alternatives. A detailed description of the proposed action and alternatives will be included in the EIS. The EIS will also identify potentially significant impacts on biological resources, land use, air quality, water resources, transportation, and other environmental resource issues that could occur directly or indirectly with implementation of the proposed action and alternatives. Different strategies for avoiding, minimizing, and mitigating the impacts of incidental take may also be considered.

Environmental review of the EIS will be conducted in accordance with the requirements of NEPA (42 U.S.C. 4321 et seq.), its implementing regulations

(40 CFR parts 1500–1508), other applicable regulations, and Service procedures for compliance with those regulations. This notice is being furnished in accordance with 40 CFR Section 1501.7 and 1508.22 to obtain suggestions and information from other agencies and the public on the scope of issues and alternatives to be addressed in the EIS. The primary purpose of the scoping process is to identify important issues raised by the public related to the proposed action. Written comments from interested parties are invited to ensure that the full range of issues related to the permit application is identified. Comments will only be accepted in written form. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

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 may 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.

Dated: May 29, 2008.

**Ken McDermond,**

*Deputy Regional Director, California Nevada Region, Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS–R9–IRTM–2008–N0095; 90250–1660–6050–9Z]

### Privacy Act of 1974; Amendments to Existing Systems of Records

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

**ACTION:** Proposed amendment of existing Privacy Act systems of records.

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), the U.S. Fish and Wildlife Service of the Department of the Interior is issuing public notice of its intent to amend 19 existing Privacy Act systems of records notices to add a new routine use to authorize the disclosure of records to individuals involved in responding to a breach of Federal data.

**DATES:** Comments must be received by July 14, 2008. The notice will be