

State, and local agency representatives and industry individuals. User registrations will be required for access to certain data shared and collected, which may be sensitive in nature. Also, users must submit personal information so that TSA can verify an individual's identity and establish the access accounts to the registered user's site.

#### Use of Results

TSA will compile data from the survey results and assign weights to produce a score that TSA and USCG PortSTEP Project Officers will use to determine the appropriate level of TSA involvement in the management, conduct, and oversight of training response exercises conducted with surface transportation in the port area. TSA will also use the information collected to group ports based on their similarities, characteristics, and the degree of surface transportation exposure, in order to help focus the design, conduct, and evaluation of PortSTEP responses on the surface transportation issues. Much can be learned about the interactions and coordination between the surface and maritime transportation modes if the series of response exercises in PortSTEP are designed, conducted, and evaluated with this in mind. TSA and USCG will use the findings to refine and customize future PortSTEP iterations to the needs of the transportation mode being exercised. TSA and USCG plan to share and discuss this data with other agencies within the Federal Government.

Data collected from registered Web site users will be retained to verify account status and access permissions. TSA will assign users an account to determine access to certain information, and group users for administrative purposes. All data will be stored securely.

Issued in Arlington, Virginia, on December 16, 2005.

**Lisa S. Dean,**

*Privacy Officer.*

[FR Doc. E5-7684 Filed 12-21-05; 8:45 am]

**BILLING CODE 4910-52-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of an Application for an Incidental Take Permit for Florida Scrub-jays Resulting From the Proposed Construction of a Combination Single-Family Home Subdivision and Commercial Facilities in the City of Melbourne, Brevard County, FL

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

**ACTION:** Notice.

**SUMMARY:** Riverside Development Group, Inc. (Applicant) requests an incidental take permit (ITP) for a duration of two years, pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act) as amended (U.S.C. 1531 *et seq.*). The Applicant anticipates the loss of about 1.57 acres of occupied Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jay) habitat in Section 8, Township 27 South, Range 37 East, in the City of Melbourne, Brevard County, Florida. Habitat loss would occur as a result of vegetation clearing and the subsequent construction of a 126 unit single-family home subdivision and commercial facilities on the 36-acre project site. The loss of one scrub-jay family could occur as a result of the Applicant's proposed project.

The Applicant's Habitat Conservation Plan (HCP) describes the mitigation and minimization measures proposed to address the effects of the project on the Florida scrub-jay. These measures are also outlined in the Service's Environmental Assessment (EA) and in the **SUPPLEMENTARY INFORMATION** section below. The Service announces the availability of the ITP application, HCP, and EA. Copies of the application, HCP, and EA may be obtained by making a request to the Southeast Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. This notice is provided pursuant to section 10 of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the ITP application, EA, and HCP should be sent to the Service's Southeast Regional Office (see **ADDRESSES**) and should be received on or before February 21, 2006.

**ADDRESSES:** Persons wishing to review the application, EA, and HCP may obtain a copy by writing the Service's Southeast Regional Office, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30030 (Attn: Endangered Species Permits). Please reference permit

number TE102635-0 in such requests. Documents will also be available for public inspection by appointment during normal business hours at either the Southeast Regional Office or at the Jacksonville Field Office, U.S. Fish and Wildlife Service, 6620 Southpoint Drive South, Suite 310, Jacksonville, Florida 32216-0912 (Attn: Field Supervisor).

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator, Southeast Regional Office (see **ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or Mr. Michael Jennings, Fish and Wildlife Biologist, Jacksonville Field Office (see **ADDRESSES** above), telephone: 904/232-2580, ext. 113.

**SUPPLEMENTARY INFORMATION:** If you wish to comment, you may submit comments by any one of several methods. Please reference permit number TE102635-0 in such comments. You may mail comments to the Service's Southeast Regional Office (see **ADDRESSES**). You may also comment via the Internet to [david\\_dell@fws.gov](mailto:david_dell@fws.gov). Please submit comments over the Internet as an ASCII file, avoiding the use of special characters and any form of encryption. 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 either telephone number listed above (see **FOR FURTHER INFORMATION CONTACT**). Finally, you may hand deliver comments to either Service office listed above (see **ADDRESSES**).

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home addresses from the administrative record. We will honor such requests to the extent allowable by law. There may also be other circumstances in which we would withhold from the administrative record a respondent's identity, as allowable by law. If you wish us to withhold your name and address, you must state this prominently at the beginning of your comments. We will not, however, consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

The Florida scrub-jay (scrub-jay) is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The scrub-jay is found exclusively in

peninsular Florida and is restricted to xeric uplands (well-drained, sandy soil habitats supporting a growth of oak-dominated scrub). Increasing urban and agricultural development has resulted in habitat loss and fragmentation which has adversely affected the distribution and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals.

The decline in the number and distribution of scrub-jays in east-central Florida has been exacerbated by agricultural land conversions and urban growth in the past 50 years. Much of the historic commercial and residential development has occurred on the dry soils that previously supported scrub-jay habitat. Based on existing soils data, much of the historic and current scrub-jay habitat of coastal east-central Florida occurs proximal to the current shoreline and larger river basins. Much of this area of Florida was settled early because few wetlands restricted urban and agricultural development. Due to the effects of urban and agricultural development over the past 100 years, much of the remaining scrub-jay habitat is now relatively small and isolated. What remains is largely degraded, due to interruption of natural fire regime that is needed to maintain xeric uplands in conditions suitable for scrub-jays.

From 2000 through 2002, one family of scrub-jays was found using 7.22 acres within the project site. Scrub-jays using the project site are part of a larger complex of scrub-jays located in a matrix of urban and natural settings in areas of central and south Brevard County. Scrub-jays in urban areas are particularly vulnerable and typically do not successfully produce young that survive to adulthood. Persistent urban growth in this area will likely further reduce the amount of suitable habitat for scrub-jays. Increasing urban pressures are also likely to result in the continued degradation of scrub-jay habitat, as the lack of naturally occurring fires slowly results in vegetative overgrowth. Thus, over the long-term, scrub-jays are unlikely to persist in urban settings, and conservation efforts for this species should target acquisition and management of large parcels of land outside the direct influence of urbanization. The retention of small patches of habitat similar to the onsite mitigation proposed by the Applicant, however, could provide benefits to scrub-jays by creating "stepping stones" used by scrub-jays dispersing between larger parcels of conservation lands in Brevard County.

Construction of the project's infrastructure and facilities would result in harm to scrub-jays, incidental to the

carrying out of these otherwise lawful activities. Specifically, habitat alteration associated with the proposed residential and commercial construction and associated infrastructure would reduce the availability of foraging, sheltering, and possible nesting habitat for one family of scrub-jays.

The Applicant proposes to minimize impacts to scrub-jays by reducing the project's footprint and avoiding active nest sites during the breeding season. The Applicant proposes to mitigate the take of scrub-jays by removing 5.65 acres of occupied scrub-jay habitat from the project's development footprint. In addition, the Applicant proposes to set aside and manage an additional 0.77 acres of unoccupied, but restorable onsite habitat as a buffer to the adjacent occupied habitat. Fee title to the entire onsite mitigation area would be transferred to Brevard County, and its Environmentally Endangered Lands Program would subsequently assume management responsibilities for the mitigation property. The Applicant proposes to establish an escrow account in the amount of \$7,704 to pay for the costs of initial land restoration and management activities that would be undertaken prior to fee title transfer to Brevard County.

The Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA and HCP.

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. If it is determined that those requirements are met, the ITP would be issued for the incidental take of the Florida scrub-jay. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies 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.

Dated: December 1, 2005.

**Cynthia K. Dohner,**

*Acting Regional Director, Southeast Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Draft Environmental Impact Statement for the Proposed Cordova Oil Spill Response Facility, Cordova, AL

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

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA) intends to file a Draft Environmental Impact Statement (DEIS) with the U.S. Environmental Protection Agency for a proposed oil spill response facility at Shepard Point, near Cordova, Alaska, and that the DEIS is now available for public review. The purpose of the proposed project is to provide a deepwater staging facility for the rapid deployment of equipment to the site of an oil spill. This notice also announces a hearing for the public to provide comments on the DEIS.

**DATES:** Written comments on the DEIS must arrive by February 6, 2006.

Public hearings will be held on the following dates and times:

1. January 11, 2006, 5:30 p.m. to 9 p.m., Anchorage, Alaska.
2. January 12, 2006, 5:30 p.m. to 9 p.m., Cordova, Alaska.

**ADDRESSES:** You may mail written comments to Kristin K'eit, Bureau of Indian Affairs, Alaska Regional Office, Division of Environmental and Cultural Resource Management, P.O. Box 25520, Juneau, Alaska 99802-5520. You may also fax your comments to (907) 586-7044, or submit them electronically at the project Web site, <http://www.cordovarfu@urscorp.com>.

**Note:** BIA cannot receive electronic comments directly via e-mail at this time.

Please include your name, return address, and the caption, "DEIS Comments, Proposed Cordova Oil Spill Response Facility, Cordova, Alaska," on the first page of your written comments. To obtain a copy of the DEIS, please contact Kristen K'eit by mail at the above mailing address or by telephone at the number provided below. Copies of the DEIS are available for public review at the above mailing address. Copies of the DEIS have also been sent to agencies and individuals who participated in the scoping process and to all others who have previously requested copies of the document.

The locations of the public hearings are as follows:

1. Anchorage—Alaska Pacific University, Carr Gottstein Building, 4101 University Drive, Room 102, Anchorage, Alaska.