

Division of Workforce Development, Assistant Secretary—Indian Affairs, Department of the Interior, 1951 Constitution Avenue, NW., MS-20-SIB, Washington, DC 20245; Telephone 202-219-5270. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: The information collection for A Reporting System for the Public Law 102-477 Demonstration Project needs renewal. The 60-day notice requesting comments on OMB Control Number 1076-0135, "Public Law 102-477 Reporting," was published in the **Federal Register** on October 18, 2006 (71 FR 61505). We have held meetings with both tribal and Federal partners regarding the existing Public Law 102-477 tribal report forms. We have also shared the changes mandated by the government-wide employment and training OMB requirements with Federal partners and tribal representatives.

Abstract: The information collection is needed to document satisfactory compliance with statutory, regulatory and OMB requirements of the various integrated programs. Public Law 102-477 authorizes tribal governments to integrate federally-funded employment, training and related services programs into a single, coordinated, comprehensive service delivery plan. Funding agencies include the Department of the Interior, Department of Labor, and the Department of Health and Human Services. The Bureau of Indian Affairs is statutorily required to serve as the lead agency. Section 11 of this Act requires that the Secretary of the Interior make available a single universal report format which shall be used by a tribal government to report on integrated activities and expenditures undertaken. The Bureau of Indian Affairs shares the information collected from these reports with the Department of Labor and the Department of Health and Human Services.

Method of Collection:

Current Forms: These forms have been developed incorporating comments from the Department of Health and Human Services and the Department of Labor which provide program funds to tribes for portions of Public Law 102-477. The revised forms have also incorporated many of the comments from tribal grantees and other interested parties.

The revised forms include a one page financial form which is a slightly modified SF-269-A (short form). The financial report also now adds one additional financial page at the request of the Department of Health and Human Services, Temporary Assistance for

Needy Families (TANF) report. The form is accompanied by four pages of instructions. The additional form and instructions are only to be completed by those tribes receiving TANF funds under Public Law 102-477. A portion of the report is optional as requested by DHHS. Secondly, the revised forms include a revised and expanded program statistical report.

These report forms and narrative are limited but should satisfy the Department of Health and Human Services, Department of Labor and the Department of the Interior. Both the existing and revised forms reduce the burden on tribal governments by consolidating data collection for employment, training, education, child care and related service programs. The reports are due annually. These forms have been developed within a partnership between tribes and representatives of all three Federal agencies to standardize terms and definitions, eliminate duplication and reduce frequency of collection.

Action: Reinstatement.

Collection: OMB Control # 1076-0135, A Reporting System for Pub. L. 102-477 Demonstration Project.

Respondents: Tribes participating in Public Law 102-477 will report annually. Currently there are 51 grantees representing 240 tribes participating in the program.

Burden: The hourly burden for present forms is 58 hours per respondent without TANF; 58 hours × 21 grantees estimated equals 1,218 annual burden hours. If a tribe does include TANF the annual burden hours is 60 hours with an estimated 30 grantees including TANF equals 1,800 annual burden hours. The total estimated annual burden hours for the Pub. L. 102-477 initiative equals 3,018.

Public Comments and Responses: No comments were received to our 60 day notice published in the **Federal Register** October 18, 2006 (71 FR 61505):

One written comment was received on February 1, 2006 while meeting with tribes. The tribe summarized by stating, we "can find no fault with the current reporting requirements and forms."

Request for Comments: The Department of the Interior requests your comments on this collection concerning: (a) The necessity of this information collection for the proper performance of functions of the agency, including whether the information will have practical utility;

(b) The accuracy of the agency's estimate of the burden (hours and cost) of the collection of information, including the validity of the methodology and assumptions used;

(c) Ways we could enhance the quality, utility, and clarity of the information to be collected; and

(d) Ways we could minimize the burden of the collection of the information on the respondents, such as through the use of automated collection techniques or other forms of information technology.

You are reminded that an agency may not request or sponsor a collection of information unless OMB has approved the collection; you are not required to answer a collection of information that is not approved, and you will not be harmed by your refusal.

The Office of Management and Budget has 60 days in which to make a decision on this request for renewal, but may decide after 30 days. Therefore, your comments should arrive by the 30 day comment date to be sure of getting full consideration.

Dated: June 20, 2007.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Draft Environmental Assessment/ Habitat Conservation Plan; Issuance of Section 10(a)(1)(B) Permit for Incidental Take of Nine Listed Species in Cochise County, AZ and Hidalgo County, NM (Malpai Borderlands)

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of availability; receipt of application.

SUMMARY: Malpai Borderlands Group (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (TE-155587-0) pursuant to Section 10(a)(1)(B) of the Endangered Species Act (Act) of 1973, as amended. The requested permit, which is for a period of 30 years, would authorize incidental take of the following listed endangered species: Yaqui chub (*Gila purpurea*), Yaqui topminnow (*Poeciliopsis occidentalis sonoriensis*), Huachuca water-umbel (*Lilaeopsis schaffneriana recurva*), Northern Aplomado falcon (*Falco femoralis septentrionalis*); listed threatened species: Yaqui catfish (*Ictalurus pricei*), beautiful shiner (*Cyprinella formosa*), Chiricahua leopard frog (*Rana chiricahuensis*), Mexican spotted owl (*Strix occidentalis lucida*), New Mexico ridge-nosed rattlesnake (*Crotalus willardi obscurus*);

candidate species: western yellow-billed cuckoo (*Coccyzus americanus*); and unlisted species: Yaqui sucker (*Catostomus bernardini*), longfin dace—Yaqui form (*Agosia chrysogaster*), Mexican stoneroller (*Campostoma ornatum*), lowland leopard frog (*Rana yavapaiensis*), northern Mexican gartersnake (*Thamnophis eques megalops*), black-tailed prairie dog (*Cynomys ludovicianus*), western burrowing owl (*Athene cunicularia hypugaea*), white-sided jackrabbit (*Lepus callotis*), and western red bat (*Lasiurus blossevillei*). The proposed incidental take would occur as a result of grassland improvement and ranch management activities on non-Federal lands within approximately 828,000 acres of the Malpai borderlands region of Cochise County, Arizona and Hidalgo County, New Mexico. We invite public comment.

DATES: To ensure consideration, written comments must be received on or before August 31, 2007.

ADDRESSES: Persons wishing to review the application, draft Malpai Borderlands Habitat Conservation Plan (MBHCP), or other related documents may obtain a copy by written request to the Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951 (602/242-0210). Electronic copies of these documents will also be available for review on the Arizona Ecological Services Office Web site, <http://www.fws.gov/southwest/es/arizona/>. The application and documents related to the application will be available for public inspection, by appointment only, during normal business hours (8 a.m. to 4:30 p.m.) at the Service's Phoenix office. Comments concerning the application, draft HCP, or other related documents should be submitted in writing to the Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951. Please refer to permit number TE-XXXXXX-0 when submitting comments. All comments received, including names and addresses, will become a part of the official administrative record.

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.

FOR FURTHER INFORMATION CONTACT:

Marty Tuegel at the U.S. Fish and Wildlife Service Tucson office, 201 N. Bonita Avenue, Suite 141, Tucson, Arizona 85745 (520/670-6150) ext. 232, or by e-mail at Marty_Tuegel@fws.gov.

SUPPLEMENTARY INFORMATION: The Applicant has applied to the Service for a Section 10(a)(1)(B) incidental take permit for a period of 30 years in order to gain authorization for incidental take of 19 listed, candidate, and unlisted species. The proposed incidental take could occur as a result of grassland improvement and ranch management activities on non-Federal lands within approximately 828,000 acres of the Malpai borderlands region of Cochise County, Arizona and Hidalgo County, New Mexico.

Background

The Malpai Borderlands Group is proposing grassland improvement activities and general ranch management activities on non-Federal lands within the Malpai Borderlands area of Cochise County, Arizona and Hidalgo County, New Mexico. This area encompasses approximately 828,000 acres of primarily open rangeland. The covered area would include all the private and state trust lands within the area defined by the U.S./Mexico border on the south; on the west from milepost 10 on Geronimo Trail following current ranch boundaries north to Hwy 80, then north-east along Hwy 80 to the point where the section line between Township 21 South and Township 22 South crosses the highway, then north-west along current ranch boundaries to the National Forest boundary, then north-east along the National Forest boundary to the section line between Township 19 South and Township 20 South, then east to Hwy 80, then north along Hwy 80 to its junction with Hwy 9; along Hwy 9 on the north side; and on the east side along the Continental Divide (to where it enters Diamond A Ranch) and then along the east boundary of the Diamond A Ranch to its junction with the U.S./Mexico border. The grassland improvement activities include returning fire onto the landscape as an ecological factor that maintains the grassland ecosystem, erosion control structures to reduce soil loss and downstream sedimentation, and mechanical brush control to reduce shrub invasion of upland habitats. All three of these general activity types can

have short-term impacts on species and their habitats, but through these activities, a long-term benefit is anticipated for the watersheds in the covered area and for the covered species. In addition, MBHCP includes provisions for individual ranchers to elect to enroll under the conservation plan for coverage of routine ranch management activities, including construction of linear facilities (fences, pipelines, and roads), livestock management, and use and maintenance of livestock ponds/tanks. These activities are included because in some cases incidental take of some covered species may occur. However, improved ranch management also can improve the watershed and habitats of covered species. In addition to these two broad categories of covered activities, Malpai Borderlands Group proposes actions to minimize the impacts of the activities and assist in recovery of the covered species. These actions are also proposed to be covered by the associated section 10(a)(1)(B) permit.

To meet the requirements of a section 10(a)(1)(B) permit, Malpai Borderlands Group has developed and will implement the MBHCP, which provides measures to minimize and mitigate for incidental take of the 19 proposed covered species to the maximum extent practicable, and which ensures that the incidental take will not appreciably reduce the likelihood of the survival and recovery of these species in the wild.

Section 9 of the Act and its implementing regulations prohibit the "taking" of threatened and endangered species. However, the Service, under limited circumstances, may issue permits to take listed wildlife species incidental to, and not the purpose of, otherwise lawful activities.

We provide this notice under section 10(c) of the Act (16 U.S.C. 1531 et seq.) and its implementing regulations (50 CFR 17.22), and the National Environmental Policy Act (42 U.S.C. 4371 et seq.) and its implementing regulations (40 CFR 1506.6).

C. Todd Jones,

*Acting Regional Director, Region 2,
Albuquerque, New Mexico.*

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