

We will not consider anonymous comments.

Background: Under a safe harbor agreement, a participating property owner voluntarily undertakes management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Act. Safe harbor agreements encourage private and other non-Federal property owners to implement conservation measures for listed species by assuring them they will not be subjected to increased property use restrictions if their efforts attract listed species to their property or increase the numbers of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through safe harbor agreements are found in 50 CFR 17.22 and 17.32.

We have worked with the Applicant to design conservation measures intended to benefit the scrub-jay on about 76 acres (enrolled property) in Volusia County. Under the SHA, the Applicant will undertake the following actions on the enrolled property: (1) Remove sand pine canopy; (2) create open sandy areas through mechanical means (including chopping and/or root-raking) or by using herbicides; and (3) manage habitat using prescribed fire and/or mechanical means.

Applicant's Proposal: The Applicant's property is currently occupied by three families of scrub-jays. Conservation measures proposed by the Applicant will enhance existing habitat conditions and contribute to the continued survival of the three scrub-jay families currently residing on their property. In addition, the Applicant intends to manage unoccupied habitat in anticipation that it will become occupied by scrub-jays. The Applicant anticipates that the proposed conservation measures will result in an additional three families of scrub-jays occupying their property. Without the proposed SHA, it would not be possible for the Applicant to undertake the proposed conservation measures and receive regulatory assurances from the Service through the Act.

Consistent with the Service's Safe Harbor policy and implementing regulations, we propose to issue a permit to the Applicant authorizing the incidental take of scrub-jays through lawful activities on the enrolled land, as long as baseline conditions are maintained and terms of the Agreement are implemented. Future development of educational facilities on the enrolled property is likely to result in a return to the baseline condition.

This notice also advises the public that the Service has made a preliminary

determination that issuance of the ESP will not result in significant impacts to the human environment. Therefore, the ESP and SHA is a "low-effect" project and qualifies for a categorical exclusion under the National Environmental Policy Act of 1969 (NEPA), as amended (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). This preliminary information may be revised based on our review of public comments that we receive in response to this notice.

We will evaluate the ESP and SHA and comments submitted thereon to determine whether the requirements of Section 10(a) of the Act have been met. We will also evaluate whether issuance of the ESP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in the final analysis to determine whether or not to issue the ESP and execute the SHA.

Authority: We provide this notice under Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

Dated: October 2, 2007.

David L. Hankla,

Field Supervisor, Jacksonville Field Office.

[FR Doc. E7-19797 Filed 10-5-07; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Endangered and Threatened Wildlife and Plants: Draft Post-Delisting Monitoring Plan for the Virginia Northern Flying Squirrel (*Glaucomys sabrinus fuscus*)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Availability of Draft Post-delisting Monitoring Plan; Request for Comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of the draft post-delisting monitoring plan (draft PDM Plan) for the Virginia northern flying squirrel (*Glaucomys sabrinus fuscus*), currently referred to as the West Virginia northern flying squirrel (WVNFS). The Endangered Species Act (ESA) requires that the Service implement a system, in cooperation with the States, to monitor effectively, for at least 5 years, the status of all species that have been recovered and no longer need protection of the ESA. The WVNFS has been proposed to be removed from the Federal List of

Threatened and Endangered Wildlife and Plants (delisted) due to recovery.

DATES: Comments from all interested parties on the WVNFS draft PDM Plan must be received on or before November 8, 2007.

ADDRESSES: The draft PDM Plan may be downloaded from our Web site at <http://www.fws.gov/northeast/Endangered/>. To request a copy of the draft PDM Plan, write to our West Virginia Field Office; U.S. Fish and Wildlife Service, 694 Beverly Pike, Elkins, West Virginia 26241; or call 304-636-6586 to receive a copy. You may also send an electronic mail request to laura_hill@fws.gov. Specify whether you want to receive a hard copy by U.S. mail or an electronic copy by electronic mail.

Send your comments by any of the following methods. See "Viewing Documents" and "Public Comments Solicited" under **SUPPLEMENTARY INFORMATION** for important information.

- Mail: WVNFS Draft PDM Plan Comments, U.S. Fish and Wildlife Service, West Virginia Field Office, 694 Beverly Pike, Elkins, West Virginia 26241.

- Hand Delivery/Courier: Same address as above.

- Electronic mail: laura_hill@fws.gov. Include "WVNFS Draft PDM Plan Comments" in the subject line of the message.

- Facsimile: 304-636-7824. Include "WVNFS Draft PDM Plan Comments" in the subject line.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

FOR FURTHER INFORMATION CONTACT:

Direct all questions or requests for additional information about the draft PDM Plan to Laura Hill (see **ADDRESSES**). Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 1-800-877-8337 for TTY assistance, 24 hours a day 7 days a week.

SUPPLEMENTARY INFORMATION:

Background

We published the proposed rule to remove the WVNFS, due to recovery, from the Federal List of Threatened and Endangered Wildlife on December 19, 2006 with a 120-day comment period that closed on April 23, 2007. Recovery actions have resulted in reduction in the threats, which has led to: (1) A significant increase in the number of known WVNFS capture sites; (2) multiple generation reproduction; (3) the proven resiliency of the squirrels; and (4) the vast improvement and continued expansion of suitable habitat.

We are currently reviewing the comments received on the proposed rule and preparing responses as appropriate.

Section 4(g)(1) of the ESA requires that we implement a system, in cooperation with the States, to effectively monitor, for not less than 5 years, the status of all species that have been recovered and delisted. Additionally, we are to make prompt use of the emergency listing authority under section 4(b)(7) of the ESA if the recovered species is presented with significant risk to its well being. In order to meet the ESA's monitoring requirement, and to facilitate the efficient collection of data, we have designed a plan to detect changes in the status of the WVNFS.

The WVNFS draft PDM Plan was developed in cooperation with the State resources agencies of West Virginia and Virginia and the U.S. Forest Service. Our West Virginia Field Office (WVFO) will have the lead agency responsibility for this monitoring effort, and will coordinate all phases of implementation of the plan and ensure that monitoring requirements outlined within the plan are accomplished. The draft PDM Plan proposes to conduct monitoring annually for at least 10 years. The primary focus will be on WVNFS habitat and implementation of plans or agreements to protect and manage habitat. Distribution and persistency throughout its range will also be monitored.

Viewing Documents

The supporting documents for the draft PDM Plan is available for inspection, by appointment, during normal business hours at our WVFO (see **ADDRESSES**). The comments and materials we receive on the monitoring plan during the comment period will be available for public inspection by appointment during normal business hours at the WVFO, 304-636-6586. Please call to make arrangements to view documents.

Public Comments Solicited

We request comments on the WVNFS draft PDM Plan. All comments received by the date specified above will be considered during preparation of the final PDM Plan. We will take into consideration the relevant comments, suggestions, or objections that we receive by the comment due date indicated above in the DATES section. These comments, suggestions, or objections, and any additional information received, may lead us to adopt a final PDM Plan that differs from

this draft PDM Plan. Comments merely stating support or opposition to the draft PDM Plan without providing supporting data are not as helpful.

Public Availability of Comments

Before including your address, phone number, electronic mail address, or other personal identifying information in your comment, you should be aware that your entire document—including your personal identifying information—may be publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Authority: The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: September 14, 2007.

Thomas J. Healy,

Acting Regional Director, Region 5, U.S. Fish and Wildlife Service.

[FR Doc. 07-4940 Filed 10-5-07; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Temporary Closure of Public Lands: Broadwater County, MT

AGENCY: Bureau of Land Management, Butte Field Office, Montana.

ACTION: Temporary closure of public land to motorized vehicles in Broadwater County.

SUMMARY: Notice is hereby given that certain roads and areas are temporarily closed to all motor vehicle operation.

The closed area is within the Iron Mask Acquisition and includes all preexisting, undeveloped roads situated in the County of Broadwater, State of Montana, described as follows:

Township 7 North, Range 1 East, Principal Meridian Montana

Section 4: S $\frac{1}{2}$.

Section 5: S $\frac{1}{2}$.

Section 7: NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 8: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 9: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 10: N $\frac{1}{2}$ NW $\frac{1}{4}$ lying west of the Montana Rail Link Right of Way.

Section 17: W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Section 18: SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 19: Gov Lot 5.

All motor vehicle use will be prohibited during this temporary closure to protect public health and safety, prevent the spread of noxious weeds and to protect cultural and historic values until such time as a

resource inventory is completed and public uses can be evaluated through either the resource management planning process or a recreation plan.

Closure signs will be posted and parking areas will be delineated and signed at main entry points to this area. Maps of the closure area and information may be obtained from the Butte Field Office and the Montana Fish, Wildlife and Parks Office.

DATES: This closure will take effect immediately and may be rescinded upon adoption of a resource management or recreation plan.

FOR FURTHER INFORMATION CONTACT: Rick Hotaling, Manager, Butte Field Office, 106 North Parkmont, Butte, MT 59701. (406) 533-7600.

Discussion of the Rules: Under the authority of 43 CFR 9268.3(d)(1)(I) and 43 CFR 8364.1(a), the Bureau of Land Management will enforce the following rule on public lands within the closed area.

You must not operate motor vehicles beyond signed parking areas.

Exemptions: Persons who are exempt from these rules include: Any Federal, State, or local officer or employee in the scope of their duties and any person authorized in writing by the Bureau of Land Management.

Penalties: The authority for this closure is found under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)) and 43 CFR 8360.0-7. Any person who violates this closure may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months, or both. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

Dated: August 27, 2007.

Rick Hotaling,

Field Manager, Butte Field Office.

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DEPARTMENT OF THE INTERIOR

National Park Service

Delaware Water Gap National Recreation Area Citizen Advisory Commission Meeting

AGENCY: National Park Service; Interior.

ACTION: Notice of public meeting.

SUMMARY: This notice announces a public meeting of the Delaware Water Gap National Recreation Area Citizen Advisory Commission. Notice of this meeting is required under the Federal Advisory Committee Act, as amended (5