

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.

**Authority:** This notice is provided pursuant to Section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 21, 2007.

**Paul Souza,**

*Field Supervisor, South Florida Ecological Services Office.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Running Buffalo Clover (*Trifolium stoloniferum*) Recovery Plan Revision

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

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce availability of the approved revised recovery plan for running buffalo clover (*Trifolium stoloniferum*). This species is federally listed as endangered under the Endangered Species Act of 1973, as amended (Act).

**ADDRESSES:** You may obtain a copy of the recovery plan by any of the following means:

1. *World Wide Web:* <http://midwest.fws.gov/endangered/>; or
2. *U.S. mail or in-person pickup:* Field Supervisor, U.S. Fish and Wildlife Service, 6950 Americana Parkway, Suite H, Reynoldsburg, OH 43068-4127; telephone, (614) 469-6923.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sarena M. Selbo at the above address and telephone (ext. 17). TTY users may contact Ms. Selbo through the Federal Relay Service at (800) 877-8339.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Restoring an endangered or threatened animal or plant species to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the Service's endangered species program. Recovery plans describe actions considered necessary for conservation of the species, establish criteria for reclassification and delisting, and

provide estimates of the time and cost for implementing recovery measures.

The Act (16 U.S.C. 1531 *et seq.*) requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires that we provide public notice and opportunity for public review and comment during recovery plan development. We announced availability of our draft revised recovery plan in the **Federal Register** on August 12, 2005 (70 FR 47222), and requested public comments. The comment period closed on October 11, 2005. In our preparation of the approved revised recovery plan, we considered information provided to us during the comment period, and we have summarized this information in an appendix to the revised recovery plan.

Running buffalo clover was listed as endangered on July 6, 1987. The original recovery plan was approved on July 8, 1989. This is the first recovery plan revision. Running buffalo clover formerly occurred from West Virginia to Kansas. It is currently extant in limited portions of Indiana, Kentucky, Ohio, Missouri, and West Virginia. Running buffalo clover occurs in mesic habitats of partial to filtered sunlight, where there is a prolonged pattern of moderate periodic disturbance, such as mowing, trampling, or grazing. It is most often found in regions underlain with limestone or other calcareous bedrock.

The primary threat to running buffalo clover is habitat alteration. Factors that contribute to this threat include natural forest succession and subsequent canopy closure, competition by invasive plant species, and catastrophic disturbance such as development or road construction. The elimination of bison and other large herbivores may also be a threat to this species. In addition to these threats, inherent biological vulnerabilities of running buffalo clover include its reliance on pollinators, seed scarification, and dispersal mechanisms, as well as a dependence on disturbance.

Given the known threats and constraints, the recovery effort for running buffalo clover focuses primarily on increasing the number of conserved and managed populations, determining the viability of existing populations, and research on the species ecological requirements. Key to this strategy is the conservation and management of various-sized populations of running buffalo clover throughout the species' geographic range. The recovery criteria and actions rely heavily on retaining and managing suitable habitat. A greater

understanding of the biotic and abiotic needs of running buffalo clover is also key to the species recovery.

##### *Downlisting Criteria*

Running buffalo clover will be considered for downlisting to threatened status when the likelihood of the species becoming extinct in the foreseeable future has been eliminated by achievement of the following criteria:

(1) Seventeen populations, in total, are distributed as follows: 1 A-ranked, 3 B-ranked, 3 C-ranked, and 10 D-ranked populations across at least 2 of the 3 regions in which running buffalo clover currently occurs (Appalachian, Bluegrass, and Ozark). The number of populations required in each rank is based on what would be necessary to achieve a 95 percent probability of persistence within the next 20 years based on population viability analysis.

(2) For each A-ranked and B-ranked population described in downlisting criterion 1, population viability analysis indicates a 95 percent persistence within the next 20 years, or, for any population that does not meet the 95 percent persistence standard, the population meets the definition of viable. For downlisting purposes, viability is defined as follows: (A) Seed production is occurring; (B) the population is stable or increasing, based on at least 5 years of censusing; and (C) appropriate management techniques are in place.

(3) The land on which each of the populations described in downlisting criterion 1 occurs is owned by a government agency or private conservation organization that identifies maintenance of the species as one of the primary conservation objectives for the site, or, the population is protected by a conservation agreement that commits the landowner to habitat management for the species. Natural resource management plans on Federal lands may be suitable for meeting this criterion.

##### *Delisting Criteria*

Running buffalo clover will be considered for delisting when the likelihood of the species becoming threatened in the foreseeable future has been eliminated by the achievement of the following criteria:

(1) Thirty-four populations, in total, are distributed as follows: 2 A-ranked, 6 B-ranked, 6 C-ranked, and 20 D-ranked populations across at least 2 of the 3 regions in which running buffalo clover occurs (Appalachian, Bluegrass, and Ozark). The number of populations in each rank is based on what would be required to achieve a 95 percent

probability of persistence within the next 20 years; this number was doubled to ensure biological redundancy across the range of the species.

(2) For each A-ranked and B-ranked population described in delisting criterion 1, population viability analysis indicates a 95 percent probability of persistence within the next 20 years, or, for any population that does not meet the 95 percent persistence standard, the population meets the definition of viable. For delisting purposes, viability is defined as follows: (A) Seed production is occurring; (B) the population is stable or increasing, based on at least 10 years of censusing; and (C) appropriate management techniques are in place.

(3) The land on which each of the populations described in delisting criterion 1 occurs is owned by a government agency or private conservation organization that identifies maintenance of the species as one of the primary conservation objectives for the site, or, the population is protected by a conservation agreement that commits the landowner to habitat management for the species. Natural resource management plans on Federal lands may be suitable for meeting this criterion.

**Authority:** The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: June 5, 2007.

**Lynn Lewis,**

*Deputy Assistant Regional Director,  
Ecological Services, Region 3.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### J.N. "Ding" Darling National Wildlife Refuge

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

**ACTION:** Notice of intent to prepare a comprehensive conservation plan and environmental assessment for J.N. "Ding" Darling National Wildlife Refuge in Sanibel, Florida.

**SUMMARY:** The Fish and Wildlife Service intends to gather information necessary to prepare a comprehensive conservation plan and environmental assessment for J.N. "Ding" Darling National Wildlife Refuge. This notice is furnished in compliance with the Service's comprehensive conservation planning policy to advise other agencies and the public of our intentions, and to

obtain suggestions and information on the scope of issues to be considered in the planning process.

**DATES:** To ensure consideration, comments must be received by August 13, 2007.

**ADDRESSES:** Comments, questions, and requests for more information regarding the J.N. "Ding" Darling National Wildlife Refuge planning process should be sent to: Rob Jess, Refuge Manager, J.N. "Ding" Darling National Wildlife Refuge, 1 Wildlife Drive, Sanibel, FL 33957; Telephone: 239/472-1100; Fax: 239/472-4061; Electronic mail: [DingDarlingCCP@fws.gov](mailto:DingDarlingCCP@fws.gov).

**SUPPLEMENTARY INFORMATION:** The National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997 (16 U.S.C. 668dd-668ee), requires the Service to develop a comprehensive conservation plan for each national wildlife refuge. The purpose in developing a comprehensive conservation plan is to provide refuge managers with a 15-year strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and Service policies. In addition to outlining broad management direction on conserving wildlife and their habitats, plans identify wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation. Public input in this planning process is essential.

Each unit of the National Wildlife Refuge System is established with specific purposes. These purposes are used to develop and prioritize management goals and objectives with the National Wildlife Refuge System mission, and to guide which public uses will occur on the refuge. The planning process is a means for the Service and the public to evaluate management goals and objectives for the best possible conservation efforts of this important wildlife habitat, while providing for wildlife-dependent recreation opportunities that are compatible with the refuge's establishing purposes and the mission of the National Wildlife Refuge System.

A comprehensive conservation planning process will be conducted that will provide opportunities for Tribal, State, and local governments; agencies; organizations; and the public to participate in issue scoping and public

comment. The Service invites anyone interested to respond to the following questions:

1. What problems or issues do you want to see addressed in the comprehensive conservation plan?
2. What improvements would you recommend for J.N. "Ding" Darling National Wildlife Refuge?

The above questions have been provided for your optional use. You are not required to provide any information. The Planning Team developed these questions to gather information about individual issues and ideas concerning the refuge. The Planning Team will use comments it receives as part of the planning process; however, it will not reference individual comments or directly respond to them.

Special mailings, newspaper articles, and other media announcements will be used to inform State and local government agencies and the public of the opportunities for input throughout the planning process. Open house style meeting(s) will be scheduled and held throughout the scoping phase of the comprehensive conservation plan development process.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*); NEPA regulations (40 CFR parts 1500-1508); and other appropriate Federal laws and regulations. All comments received become part of the official public record. 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.

J.N. "Ding" Darling National Wildlife Refuge was originally established as the Sanibel National Wildlife Refuge in 1945. The refuge was originally established "for use as an inviolate sanctuary, or for any other management purposes, for migratory birds, and suitable for incidental fish and wildlife-oriented recreational development, the protection of natural resources, and the conservation of threatened and endangered species." In 1967, the refuge was renamed in honor of Jay Norwood "Ding" Darling and now consists of 6,300 acres of mangrove estuary, freshwater spartina wetlands, and tropical hardwood hammocks. In 1976,