

*Basis for Closure:* Discussions about the global network infrastructure environment and about commercial systems' reliance on global positioning systems for network timing synchronization will contain sensitive industry information concerning specific system threats and explicit physical/cyber vulnerabilities. This information could be exploited by terrorists or other motivated adversaries.

Pursuant to section 10(d) of FACA, the Department has determined that this discussion will likely reveal trade secrets or financial information obtained from private parties which is privileged or confidential. Pursuant to section 10(d) of FACA, the Department has also determined that this discussion will concern matters which, if disclosed, would be likely to frustrate significantly the implementation of a proposed agency action. Accordingly, the relevant portion of this meeting will be closed to the public pursuant to 5 U.S.C. 552b(c)(4) and 552b(c)(9)(B) (1976), applied through 5 U.S.C. App. 1 *et seq.* at § 10(d) (1997).

Dated: September 9, 2007.

**Gary Amato,**

Chief, Technical and Programs Division,  
National Communications System.

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**BILLING CODE 4410-10-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Recovery Plan for *Silene spaldingii* (Spalding's Catchfly)

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

**ACTION:** Notice of document availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce the availability of the Recovery Plan for *Silene spaldingii* (Spalding's Catchfly). *Silene spaldingii* is a plant native to portions of Idaho, Montana, Oregon, Washington, and British Columbia, Canada. We listed this species as a threatened species under the Endangered Species Act in 2001.

**ADDRESSES:** Copies of the final recovery plan are available by request from the following offices: U.S. Fish and Wildlife Service, Snake River Fish and Wildlife Office, 1387 S. Vinnell Way, Suite 368, Boise, Idaho 83709 (telephone: 208-378-5243; fax: 208-378-5262); U.S. Fish and Wildlife Service, Helena Field Office, 585 Shepard Way, Helena, Montana 59601 (telephone: 406-449-5225; fax: 406-449-5339); U.S. Fish and Wildlife Service, La Grande Field

Office, 3502 Highway 30, La Grande, Oregon 97850 (telephone: 541-962-8584; fax: 541-962-8581); and U.S. Fish and Wildlife Service, Upper Columbia Fish and Wildlife Office, 11103 East Montgomery Drive, Suite 2, Spokane, Washington 99206 (telephone: 509-891-6839; fax: 509-891-6748). Requests for copies of the document should be addressed to the Field Supervisor at the above offices. An electronic copy of the recovery plan will also be made available online at <http://endangered.fws.gov/recovery/index.html#plans> and at <http://idahoes.fws.gov>. Printed copies of the recovery plan will be available for distribution in 4 to 6 weeks.

#### FOR FURTHER INFORMATION CONTACT:

Steve Duke, Division Chief, at the above Boise address (telephone: 208-387-5345; e-mail: [Steve\\_Duke@fws.gov](mailto:Steve_Duke@fws.gov)).

#### SUPPLEMENTARY INFORMATION:

##### Background

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of our endangered species program. The Endangered Species Act (16 U.S.C. 1531, *et seq.*) (ESA) requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Recovery plans help guide the recovery effort by describing actions considered necessary for the conservation of the species, establishing criteria for downlisting or delisting listed species, and estimating time and cost for implementing the measures needed for recovery.

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*) (Act), 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 public notice and an opportunity for public review and comment be provided during recovery plan development. The Draft Recovery Plan for *Silene spaldingii* (Spalding's catchfly) was available for public comment from March 16 through May 15, 2006 (71 FR 13625). Information presented during the public comment period has been considered in the preparation of this final recovery plan, and is summarized in an appendix to the recovery plan. We will forward substantive comments regarding recovery plan implementation to appropriate Federal or other entities so they can take these comments into

account during the course of implementing recovery actions.

*Silene spaldingii* (Spalding's catchfly) is a long-lived perennial forb in the pink or carnation family (Caryophyllaceae) with four to seven pairs of lance-shaped leaves and small greenish-white flowers. The green portions of the plant are covered in sticky hairs that often catch debris and small insects, hence the common name of the plant, "Spalding's catchfly." *Silene spaldingii* is currently known from 99 primarily small populations; only 10 of these have more than 500 individuals, and an additional 23 populations have at least 100 individuals. Occupied habitat includes five physiographic regions in Idaho, Oregon, Washington, Montana, and British Columbia. These regions are as follows: the Palouse Grasslands in west-central Idaho and southeastern Washington, the Channeled Scablands in eastern Washington, the Blue Mountain Basins in northeastern Oregon, the Canyon Grasslands of the Snake River and its tributaries in Washington and Idaho, and the Intermontane Valleys of northwestern Montana and southern British Columbia.

*Silene spaldingii* is impacted by habitat loss due to human development, habitat degradation associated with domestic livestock and wildlife grazing, and invasions of aggressive nonnative plants. In addition, a loss of genetic fitness is a problem for many small, fragmented populations where genetic exchange is limited. Other impacts include changes in fire frequency and seasonality, off-road vehicle use, and herbicide spraying and drift.

The objective of this recovery plan is to recover *Silene spaldingii* by protecting and maintaining reproducing, self-sustaining populations in identified key conservation areas in each of its five distinct physiographic regions. Under the recovery plan this would be accomplished by developing habitat management plans at those key conservation areas that provide a strategy for managing *Silene spaldingii* and effectively address the threats to the species. Key conservation areas would need to support at least 500 reproducing individuals of *Silene spaldingii*, be composed of at least 80 percent native vegetation, have adjacent habitat to support pollinating insects, and are not small or fragmented (intact habitat, preferably at least 40 acres [16 hectares] in size). Delisting of *Silene spaldingii* would be considered when 27 populations occur rangewide at key conservation areas. Populations at these key conservation areas would have to demonstrate stable or increasing

population trends for at least 20 years, nonnative plants would have to be successfully controlled, and prescribed burning must be conducted to mimic historical fire regimes and with care not to impact *Silene spaldingii* or to exacerbate invasive nonnative plant populations. Seed banking would also occur across the species' range, and a post-delisting monitoring program would be developed and ready for implementation at the time of delisting.

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

Dated: September 16, 2007.

**Renne R. Lohofener,**

*Regional Director, Region 1, U.S. Fish and Wildlife Service.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of a Draft Environmental Impact Statement and Receipt of an Application for an Incidental Take Permit for the Agua Caliente Tribal Habitat Conservation Plan, Riverside County, California

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

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** The Agua Caliente Band of Cahuilla Indians (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Service is requesting public comment on the Draft Agua Caliente Tribal Habitat Conservation Plan (THCP), Draft Implementing Agreement, and Draft Environmental Impact Statement (EIS). The Applicant is requesting a permit for 24 species, seven of which are currently listed as threatened or endangered under the Act. Of these 24 species, the Applicant requests a permit and assurances for 15 animal species that are not currently listed and assurances for two plant species. The permit is needed to authorize incidental take of listed animal species (including harm, injury, and harassment) due to development and certain other activities in the approximately 35,871-acre (56-square mile) Plan Area in the Coachella Valley of Riverside County, California.

**DATES:** Written comments must be received on or before January 10, 2008.

**ADDRESSES:** Send written comments to Mr. Jim Bartel, Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92011. You may also submit comments by facsimile to 760-431-9624.

**FOR FURTHER INFORMATION CONTACT:** Ms. Therese O'Rourke, Assistant Field Supervisor, at the Carlsbad Fish and Wildlife Office above; telephone 760-431-9440.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

Documents available for public review include the permit application, the Public Review Draft THCP and Appendices, the accompanying Draft Implementing Agreement, and the Draft EIS.

Individuals wishing to obtain copies of the documents should contact the Service by telephone at 760-431-9440, or by letter to the Carlsbad Fish and Wildlife Office (see **FOR FURTHER INFORMATION CONTACT**). Copies of the Draft THCP, Draft EIS, and Draft Implementing Agreement also are available for public review, by appointment, during regular business hours at the Carlsbad Fish and Wildlife Office (see **ADDRESSES**) or at the Tribal Planning & Development Department Office, 777 East Tahquitz, Suite 301, Palm Springs, California 92262. Copies are also available for viewing on the Internet at <http://www.aguacaliente.org> and in the Palm Springs, Rancho Mirage, Cathedral City branch, and Desert Hot Springs public libraries:

- (1) Palm Springs City Library: 300 South Sunrise Way, Palm Springs, CA 92262.
- (2) Rancho Mirage Public Library: 71100 Highway 111, Rancho Mirage, CA 92270.
- (3) Cathedral City Branch Library: 33520 Date Palm Drive, Cathedral City, CA 92234.
- (4) Desert Hot Springs Branch Library: 11691 West Drive, Desert Hot Springs, CA 92240.

##### Background Information

Section 9 of the Act and Federal regulation prohibit the "take" of fish and wildlife species federally listed as endangered or threatened. Take of federally listed fish or wildlife is defined under the Act to include kill, harm, or harass. 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)). Under limited

circumstances, the Service may issue permits to authorize incidental take; that is, take that is incidental to, and not the purpose of, otherwise lawful activity. Although take of plant species is not prohibited under the Act, and therefore cannot be authorized under an incidental take permit, plant species are proposed to be included on the permit in recognition of the conservation benefits provided to them under the THCP. Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.22 and 17.32, respectively.

The applicant seeks an incidental take permit for 24 species, nine of which are currently listed as threatened or endangered under the Act. Proposed covered species include four wildlife species listed as endangered under the Act [Peninsular bighorn sheep (*Ovis canadensis nelsoni*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and mountain yellow-legged frog (*Rana muscosa*)], three wildlife species listed as threatened under the Act [California red-legged frog (*Rana aurora draytonii*), desert tortoise (*Gopherus agassizii*), and Coachella Valley fringe-toed lizard (*Uma inornata*)], and two plant species listed as endangered under the Act [triple-ribbed milk-vetch (*Astragalus tricarinatus*) and Coachella Valley milk-vetch (*Astragalus lentiginosus coachellae*)]. Proposed covered species also include 15 wildlife species that are not currently listed under the Act: summer tanager (*Piranga rubra cooperi*), yellow-breasted chat (*Icteria virens*), yellow warbler (*Dendroica petechia brewstri*), southern yellow bat (*Lasiurus ega xanthinus*), burrowing owl (*Athene cunicularia*), grey vireo (*Vireo vicinior*), Coachella giant sand-treader cricket (*Macrobates valgum*), flat-tailed horned lizard (*Phrynosoma mcalli*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), Palm Springs (Coachella Valley round-tailed) ground squirrel (*Spermophilus tereticaudus* var. *coachellae*), Coachella giant sand treader cricket (*Macrobates valgum*), Coachella Valley Jerusalem cricket (*Stenopelmatus cahuillaensis*), Le Conte's thrasher (*Toxostoma lecontei*), Crissal thrasher (*Toxostoma crissali*), Casey's June beetle (*Dinacoma caseyi*).

The THCP is intended to protect and sustain viable populations of native plant and animal species and their habitats in perpetuity through the creation of a reserve system, while accommodating continued economic development and quality of life for residents in the Plan Area. The 2000 U.S. Census determined that