

Activity	Number of annual respondents	Number of annual responses	Completion time per response	Annual burden hours*
3-200-11 – Falconry .....	700	700	1.25 hours .....	875
3-200-12 – Raptor Propagation .....	50	50	4 hours .....	200
3-200-13 – Depredation .....	2,720	2,720	2.9 hours** .....	7,888
3-200-14 – Bald and Golden Eagle Exhibition .....	135	135	5.5 hours .....	743
3-200-15a – Eagle Parts for Native American Religious Purposes – Permit Application First Order and Tribal Enrollment Certification.	1,830	1,830	1 hour .....	1,830
3-200-15b – Eagle Parts for Native American Religious Purposes – Reorder Request.	900	900	20 minutes .....	300
3-200-16 – Take of Depredating Eagles .....	30	30	3.5 hours .....	105
3-200-17 – Eagle Falconry .....	10	10	3.25 hours .....	33
3-200-18 – Take of Golden Eagle Nests .....	2	2	6.5 hours .....	13
3-200-67 – Special Canada Goose .....	5	5	7 hours .....	35
3-200-68 – Renewal of a Permit .....	4,500	4,500	1.5 hours .....	6,750
3-200-71 – Eagle Take .....	500	500	16 hours .....	8,000
3-200-72 – Eagle Nest Take .....	100	100	16 hours .....	1,600
3-200-71 and 72 – Permit Amendments .....	40	40	6 hours .....	240
3-200-71 and 72 – Programmatic Permit .....	26	26	40 hours .....	1,040
3-200-71 and 72 – Programmatic Permit Amendments .....	10	10	20 hours .....	200
3-200-77 – Native American Eagle Take .....	10	10	2.25 hours .....	22
3-200-78 – Native American Eagle Aviary .....	5	5	5 hours .....	25
3-200-79 – Special Purpose – Abatement Activities Using Raptors*.	25	25	2.5 hours .....	63
3-200-81—Special Purpose—Utility .....	30	30	2 hours .....	60
3-200-82—Eagle Transport Into and Out of United States .....	10	10	1 hour .....	10
3-202-1 – Scientific Collecting Annual Report .....	600	600	1 hour .....	600
3-202-2 – Waterfowl Sale and Disposal Annual Report .....	1,050	1,050	30 minutes .....	526
3-202-3 – Special Purpose Salvage Annual Report .....	1,850	1,850	1 hour .....	1,850
3-202-4 – Rehabilitation Annual Report .....	1,650	1,650	3 hours .....	4,950
3-202-5 – Possession for Education Annual Report .....	1,225	1,225	1.5 hours .....	1,838
3-202-6 – Special Purpose Game Bird Annual Report .....	95	95	30 minutes .....	48
3-202-7 – Special Purpose Miscellaneous Annual Report .....	125	125	30 minutes .....	63
3-202-8 – Raptor Propagation Annual Report .....	440	440	1 hour .....	440
3-202-9 – Depredation Annual Report .....	2,550	2,550	1 hour .....	2,550
3-200-10 – Special State Canada Goose Annual Report .....	20	20	1 hour .....	20
3-202-11 – Eagle Depredation Annual Report .....	60	60	1 hour .....	60
3-202-12 – Special Purpose Possession (Education) Annual Report.	1,225	1,225	1.5 hours .....	1,838
3-202-13 – Eagle Exhibition Annual Report .....	700	700	1 hour .....	700
3-202-14 – Native American Eagle Aviary Annual Report .....	10	10	30 minutes .....	5
3-202-15—Eagle Take Monitoring and Annual Report .....	1,120	1,120	30 hours .....	33,600
3-202-16—Eagle Nest Take Monitoring and Reporting .....	40	40	16 hours .....	640
3-202-17—Special Purpose—Utility Annual Report .....	100	100	1 hour .....	100
3-186 – Notice of Transfer or Sale of Migratory Waterfowl .....	1,050	12,900	15 minutes .....	3,159
3-186A – Migratory Bird Acquisition and Disposition Report ..	4,660	18,640	15 minutes .....	4,659
Totals .....	32,403	58,233	.....	94,983

\* Rounded

\*\* Completion time varies from 1.5 hours for individuals to 3 hours for businesses. Average completion time is 2.9 hours.

**III. Request for Comments**

We invite comments concerning this IC on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this IC. 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.

Dated: March 30, 2010

**Hope Grey,**  
Information Collection Clearance Officer,  
Fish and Wildlife Service.

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**BILLING CODE 4310-55-S**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R3-ES-2010-N058; 30120-1113-0000 D2]

**Approved Recovery Plan for the Scaleshell Mussel**

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

**ACTION:** Notice of document availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of the approved recovery plan for the scaleshell mussel (*Leptodea leptodon*). The endangered scaleshell mussel is now consistently found in only the Meramec, Bourbeuse, and Gasconade Rivers in Missouri. This plan includes specific recovery objectives and criteria to achieve removal of the species from the protections of the Endangered Species Act (Act).

**ADDRESSES:** You may obtain a copy of the recovery plan by sending a request to Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 101 Park DeVille Drive, Suite A, Columbia, MO 65203 (printed copies will be available for distribution within 4 to 6 weeks), or by downloading it from the Internet at: <http://www.fws.gov/Endangered/recovery/index.html#plans>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Andy Roberts, by telephone at (573) 234-2132 ext. 110. TTY users may contact Mr. Roberts through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:**

**Background**

Recovery of 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 the Service's endangered species program. To help guide the recovery effort, we are working to prepare recovery plans for most listed species native to the United States. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for reclassification or delisting listed species, and estimate time and cost for implementing the measures needed.

The Act (16 U.S.C. 1531 *et seq.*) requires us to develop recovery plans for listed species unless such a plan will not promote the conservation of a particular species. Section 4(f) of the Act, as amended in 1988, requires us to provide the public notice, and an opportunity for public review and comment, during recovery plan development. We provided the draft scaleshell recovery plan to the public and solicited comments from August 6, 2004, through September 7, 2004 (69 FR 47949). We considered information we received during the public comment period, and information from peer reviewers, in our preparation of the recovery plan, and also summarized that information in Appendix V of this approved recovery plan.

We listed the scaleshell as endangered on October 9, 2001 (66 FR 51322). The current distribution of the scaleshell is limited to only three rivers in Missouri: the Meramec, Bourbeuse, and Gasconade. Surveys indicate that the species is in decline throughout these areas. In the last 25 years, it has been reported from 15 additional streams in Arkansas, Oklahoma, and South Dakota, but only has been represented by a small number or a single specimen (live or dead) collected during one or more extensive mussel surveys of these rivers.

The scaleshell occurs in medium-to-large rivers with low-to-medium gradients. It primarily inhabits stable riffles and runs with gravel or mud substrate and moderate current velocity. The scaleshell requires good water quality, and is usually found where a diversity of other mussel species are concentrated. More specific habitat requirements of the scaleshell are unknown, particularly of the juvenile stage. Water quality degradation, sedimentation, channel destabilization, and habitat destruction are contributing to the decline of the scaleshell throughout its range. The spread of the nonnative zebra mussel (*Dreissena polymorpha*) may threaten scaleshell populations in the near future.

The scaleshell must complete a parasitic phase on freshwater drum (*Aplodinotus grunniens*) to complete its life cycle. The scaleshell's complex life cycle and extreme rarity hinders its ability to reproduce. The sedentary nature of the species and the low density of remaining populations exacerbate threats to its survival posed by the natural and manmade factors. Further, the relatively short life span of the scaleshell may render it less able to tolerate periods of poor recruitment. The remaining populations are very susceptible to local extirpation, with little chance of recolonization because of their scattered and isolated distribution.

The principal recovery strategy is to conserve existing habitat and restore degraded habitat by addressing threats immediately adjacent to occupied sites and in upstream areas of occupied watersheds. Stream reaches occupied by the scaleshell have numerous and widespread threats affecting the species. In some cases, these threats are related to the surrounding land use and can originate upstream of extant populations. Therefore, some recovery actions may need to be implemented on a large scale in order to restore aquatic habitat downstream. Other recovery actions include artificial propagation to increase and stabilize populations, and

research on the biology, ecology, and genetics of the species.

Recovery efforts on this scale will not be possible without soliciting outside help to restore aquatic habitat and improve surface lands. The assistance of Federal and State agencies, conservation groups, local governments, private landowners, industries, businesses, and farming communities will be essential in implementing the necessary recovery actions for the scaleshell to meet recovery goals. The role of private landowners, nonprofit organizations, and corporations cannot be overemphasized, as most land in watersheds occupied by the scaleshell is under private ownership.

The scaleshell mussel will be considered for delisting when section 4(a)(1) threat factors under the Act are assessed and when the following criteria are met:

(1) Through protection of existing populations, successful establishment of reintroduced populations, or the discovery of additional populations, a total of eight stream populations exist, each in a separate watershed and each made up of at least four local and geographically distinct populations with, at a minimum, one stream population located in the Upper Mississippi River Basin, four in the Middle Mississippi River Basin (two of these must exist east of the Mississippi River), and three in the Lower Mississippi River Basin;

(2) Each local population in Criterion 1 is viable in terms of population size, age structure, recruitment, and persistence; and

(3) Threats to local populations in Criterion 1 have been identified and addressed per measurable criteria developed in the Recovery Plan.

We will achieve these criteria through the following actions:

(1) Stabilizing existing populations through artificial propagation to prevent extirpation;

(2) Formation of partnerships and utilization of existing programs to protect remaining populations, restore habitat, and improve surface lands;

(3) Improving understanding of the biology and ecology of the scaleshell;

(4) Further delineating the current status and distribution of the scaleshell;

(5) Restoring degraded habitat in areas of historical range;

(6) Reintroducing the scaleshell into portions of its former range;

(7) Initiating various educational and public outreach actions to heighten awareness of the scaleshell as an endangered species and to solicit help with recovery actions; and

(8) Tracking recovery and conducting periodic evaluations with respect to recovery criteria.

Criteria are also provided in the recovery plan to reclassify the scaleshell mussel to threatened status. The species will be considered for reclassification when section 4(a)(1) threat factors under the Act are assessed and when either of the following criteria is met:

(1) Through protection of existing populations, successful establishment of reintroduced populations, or the discovery of additional populations, four stream populations exist, each in a separate watershed and each made up of at least four local populations located in distinct portions of the stream;

(2) Each local population in Criterion 1 is viable in terms of population size, age structure, recruitment, and persistence; and

(3) Threats to local populations in Criterion 1 have been identified and addressed per the measurable criteria developed in the Recovery Plan.

**Authority:** Sec. 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: March 18, 2010.

**Lynn M. Lewis,**

*Assistant Regional Director, Ecological Services, Midwest Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R7-ES-2010-N055; 70120-1113-0000-C4]

#### Endangered and Threatened Wildlife and Plants; Spectacled Eider (*Somateria fischeri*): Initiation of 5-Year Status Review

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

**ACTION:** Notice of initiation of 5-year status review and request for information.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the initiation of a 5-year status review for the spectacled eider (*Somateria fischeri*), a bird species listed as threatened under the Endangered Species Act of 1973, as amended (Act). We conduct 5-year reviews to ensure that our classification of each species as threatened or endangered on the List of Endangered and Threatened Wildlife and Plants is accurate. We request any new information on this species that may have a bearing on its classification as threatened. Based on the results of

this 5-year review, we will make a finding on whether this species is properly classified under the Act.

**DATES:** To allow us adequate time to conduct our 5-year review, we are requesting that you submit your information no later than June 7, 2010. However, we accept new information about any listed species at any time.

**ADDRESSES:** For instructions on how to submit information for our 5-year review, see "Request for New Information."

**FOR FURTHER INFORMATION CONTACT:** Karen Laing, Endangered Species Biologist, at the address under "Contacts" or by phone at (907) 786-3459.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

We originally listed the spectacled eider (*Somateria fischeri*) as threatened under the Act on May 10, 1993 (58 FR 27474). For the description, taxonomy, distribution, status, breeding biology and habitat, and a summary of factors affecting the species, please see the final listing rule. A recovery plan was completed on August 12, 1996. On February 6, 2001 (66 FR 9146), we designated critical habitat for the species.

Three breeding populations have been identified: In Arctic Russia (AR) on the Siberian coast, and in Alaska on the coastal zone of the Yukon-Kuskokwim Delta (YKD) and on the Arctic Coastal Plain (ACP). Molting occurs at sea in nearshore waters. The wintering area is in polynyas (openings in sea ice) in the central Bering Sea south of St. Lawrence Island.

The spectacled eider breeding population on the YKD declined by 94-98 percent between the early 1970s and the 1993 listing date, from 47,700-70,000 nesting pairs to 1,700-3,000 pairs. There were thought to be 3,000 pairs on the ACP in the 1970s. Although there was no standard survey of the ACP population in the early 1990s, there was evidence of an 80 percent decline in breeding birds at Prudhoe Bay between 1981 and 1991. The size of the AR breeding population was unknown at listing. The causes of these declines were unknown; potential contributory factors include harvest, ingestion of spent lead shot, and predation. Recovery actions in the recovery plan focus on ameliorating these threats, and on monitoring populations.

Since 1993, the YKD population has varied, but apparently increased in the last decade, with 4,991 (Standard Error 641) nesting pairs estimated in 2008. The ACP population survey provides an

index of individual birds on breeding grounds rather than nests. The estimate in 2008 was 6,207 (Standard Error 592) birds; no trend is evident since the survey began in 1993. Aerial surveys in Arctic Russia during the period 1993-1995 provided an index of 146,245 birds.

## II. Initiation of 5-Year Status Review

### A. Why Do We Conduct a 5-Year Review?

Under the Act (16 U.S.C. 1531 *et seq.*), we maintain a List of Endangered and Threatened Wildlife and Plants (List) in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants). An informational copy of the List, which covers all listed species, is also available on our Internet site at <http://endangered.fws.gov/wildlife.html#Species>. Section 4(c)(2)(A) of the Act requires us to review the status of each listed species at least once every 5 years. Then, based on such review, under section 4(c)(2)(B), we determine whether any species should be removed from the List (delisted), reclassified from endangered to threatened, or reclassified from threatened to endangered. Any change in Federal classification requires a separate rulemaking process.

Our regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing the species we are reviewing. This notice announces our active 5-year status review of the threatened spectacled eider.

### B. What Information Do We Consider in Our Review?

We consider the best scientific and commercial data available at the time we conduct our review. This includes new information that has become available since our current listing determination or most recent status review of the species, such as new information regarding:

A. Species biology, including but not limited to population trends, distribution, abundance, demographics, and genetics;

B. Habitat conditions, including but not limited to amount, distribution, and suitability;

C. Conservation measures that have been implemented that benefit the species;

D. Threat status and trends (see five factors under heading "How Do We Determine Whether a Species is Endangered or Threatened?"); and

E. Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes,