

bats (*Corynorhinus townsendii virginianus*), and Ozark big eared bats (*Corynorhinus townsendii ingens*). The renewal request also includes endangered mussels, fish, and the American burying beetle (*Nicrophorus americanus*). The applicant's projects are in the States of Alabama, Florida, Georgia, Iowa, Illinois, Indiana, Kentucky, Michigan, Missouri, Mississippi, North Carolina, Ohio, South Carolina, and Tennessee. Ongoing studies that are proposed to continue under this permit include presence/absence surveys, studies to document habitat use, population monitoring, and the evaluation of potential impacts of proposed projects. Activities are proposed for enhancement of the survival of the species in the wild.

Permit Number TE809227

Applicant: BHE Environmental, Cincinnati, Ohio.

The applicant requests renewal and amendment of a permit to take Indiana bats (*Myotis sodalis*), Gray bats (*Myotis grisescens*), and fish and mussel species throughout the ranges of the species within Regions 2–6 of the U.S. Fish and Wildlife Service. The ongoing studies that are proposed under this permit include presence/absence surveys, studies to document habitat use, population monitoring, and evaluation of potential impacts of proposed projects. Activities are proposed for enhancement of the survival of the species in the wild.

Permit Number TE831774

Applicant: U.S. Geological Survey, St. Paul, Minnesota.

The applicant requests a permit renewal to take gray wolf (*Canis lupis*) throughout the continental United States. Proposed activities include capture, immobilization, radio tracking, implantation of isotopes, health assessment, and salvage of dead specimens. The long-term scientific research allowed under this permit is aimed at enhancement of recovery and survival of the species in the wild.

Permit Number TE106220

Applicant: Brianne L. Walters, Terre Haute, Indiana.

The applicant requests a permit renewal to take Indiana bats (*Myotis sodalis*) and Gray bats (*Myotis grisescens*) within the States of Indiana, Illinois, and Ohio. The ongoing studies that are proposed under this permit include presence/absence surveys, studies to document habitat use, population monitoring, and evaluation of potential impacts of proposed

projects. Activities are proposed to enhance the survival of the species in the wild.

Permit Number TE839763

Applicant: John O. Whitaker, Indiana State University, Terre Haute, Indiana.

The applicant requests a permit renewal to take Indiana bats (*Myotis sodalis*) and Gray bats (*Myotis grisescens*) throughout the range of the species. Ongoing studies include presence/absence surveys, studies to document habitat use, population monitoring, health assessment, and evaluation of project impacts. The applicant seeks to continue ongoing scientific research aimed at recovery and enhancement of the survival of the species in the wild.

Permit Number 809630

Applicant: Dr. Allen Kurta, Eastern Michigan University, Ypsilanti, Michigan.

The applicant requests a permit renewal to take Indiana bats (*Myotis sodalis*) throughout Michigan, Illinois, Indiana, and Ohio. Ongoing studies include presence/absence surveys, studies to document habitat use, population monitoring, health assessment, and evaluation of project impacts. The applicant seeks to continue ongoing scientific research aimed at recovery and enhancement of the survival of the species in the wild.

Permit Number TE839777

Applicant: Don R. Helms, Bellevue, Iowa.

The applicant requests a permit renewal to take (capture and release) Clubshell (*Pleurobema clava*), Northern riffleshell (*Epioblasma torulosa rangiana*), Orange-footed pimpleback pearl mussel (*Plethobasus cooperianus*), Pink mucket pearl mussel (*Lampsilis orbiculata*), Rough pigtoe (*Pleurobema plenum*), Purple cat's paw pearl mussel (*Epioblasma obliquata obliquata*), White cat's paw pearl mussel (*Epioblasma obliquata perobliqua*), Fanshell (*Cyporzenia stegaria*), Fat pocketbook (*Potamilus capax*), Higgins' eye pearl mussel (*Lampsilis higginsii*), Winged mapleleaf (*Quadrula fragosa*), Scaleshell (*Leptodea leptodon*), and Topeka shiner (*Notropis topeka*). Proposed activities include presence/absence surveys, relocation of specimens to avoid harm, and studies to document habitat use and population health. Proposed activities are aimed at enhancement of the survival of the species in the wild.

Public Comments

We solicit public review and comments on these permit applications. Please refer to the permit number when you submit comments. Comments and materials we receive are available for public inspection, by appointment, during normal business hours at the address shown in the **ADDRESSES** section. 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.

National Environmental Policy Act (NEPA)

In compliance with NEPA (42 U.S.C. 4321 *et seq.*), we have made an initial determination that the activities proposed in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM6 Appendix 1, 1.4C(1)).

Dated: February 5, 2009.

Lynn M. Lewis,

Assistant Regional Director, Ecological Services, Region 3.

[FR Doc. E9–2982 Filed 2–11–09; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNML0300000 L12200000.BY0000]

Notice of Temporary Vehicle Closure and Restrictions for the Robledo Mountains Off-Highway Vehicle Trails During the 2009 Chili Challenge; Las Cruces District Office, NM

AGENCY: Bureau of Land Management (BLM) Interior.

ACTION: Notice of temporary vehicle closure and restrictions.

SUMMARY: This Notice informs the public that the Las Cruces Four-Wheel Drive Club is permitted exclusive use of the Robledo Mountains Off-Highway Vehicle Trails for the 2009 Chili Challenge extreme off road event. The Robledo Mountains Off-Highway Vehicle Trails will be closed to all vehicles not registered with the Las Cruces Four-Wheel Drive Club for the Chili Challenge. This restriction is

necessary to ensure public safety and to avoid potential user conflicts during this authorized event. The 2009 Chili Challenge was analyzed in environmental assessment and finding of no significant impact NM-030-2008-095.

The Robledo Mountain Off-Highway Vehicle Trails are located within public land under BLM administrative jurisdiction in T. 21 S., R 1 E., S. 6, 19, 20, 29, 30, 31 and T. 22S, R. 1 W., S. 1, 2, 23, 24, 25, 26, 35, 36 (USGS Picacho Mountain, Las Cruces, Leasburg), Dona Ana County, New Mexico.

Maps showing the location of the Robledo Mountains Off-Highway Vehicle Trails are available upon request from the BLM Las Cruces District Office.

Exceptions: The use of motorized vehicles for emergency and law enforcement purposes, or for official duties, or as otherwise authorized by the BLM are exempt from these restrictions.

DATES: This authorization is effective from Friday February 20–Sunday February 22, 2009.

FOR FURTHER INFORMATION CONTACT: John V. Thacker, BLM Outdoor Recreation Planner, 1800 Marquess Street, Las Cruces, New Mexico 88005, 575-525-4306.

SUPPLEMENTARY INFORMATION: The authority for this Notice may be found at 43 CFR 8364.1. Restricting motorized use of these routes would lessen user conflict and provide for a more enjoyable experience during the annual Chili Challenge for those motorized users holding a Special Recreation Permit.

Enforcement actions will be taken as necessary in accordance with 43 CFR 8360.0-7 and 18 U.S.C. 3571. Violations may be punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months.

Bill Childress,
District Manager.

[FR Doc. E9-2971 Filed 2-11-09; 8:45 am]

BILLING CODE 4310-VC-P

DEPARTMENT OF JUSTICE

Notice of Lodging of an Amendment to Consent Decree Pursuant to the Clean Water Act

Notice is hereby given that a proposed First Amendment to the Consent Decree entered on February 11, 2005 in *United States of America et al. v. Knoxville Utilities Board*, Nos. 3:03-CV-497 and 3:04-CV-568, was lodged on

February 5, 2009, with the United States District Court for the Eastern District of Tennessee, Northern Division.

The Consent Decree entered on February 11, 2005 resolved the claims of the United States of America, the State of Tennessee, the Tennessee Clean Water Network and the City of Knoxville against the Knoxville Utilities Board (KUB) for violations of the Clean Water Act and four National Pollutant Discharge Elimination System permits. The purpose of the proposed First Amendment is to allow KUB to complete a portion of the Composite Correction Plan (CCP), required pursuant to Section VII.D.1(a)(v) of the Consent Decree, beyond the Consent Decree deadline of December 31, 2016.

Pursuant to the proposed First Amendment, KUB's CCP will provide for a biologically enhanced high-rate clarification (BEHRC) secondary treatment system to be installed at the Fourth Creek treatment plant by June 30, 2018, and at the Kuwahee treatment plant by June 30, 2021.

The Department of Justice will receive comments relating to the First Amendment to the Consent Decree for a period of thirty (30) days from the date of this publication. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States et al. v. Knoxville Utilities Board*, DJ No. 90-5-1-1-08186.

The proposed First Amendment to the Consent Decree may be examined at the office of the United States Attorney for the Eastern District of Tennessee, 800 Market Street, Suite 211, Knoxville, TN 37902, and at the Region 4 Office of the Environmental Protection Agency, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303. During the public comment period, the First Amendment may also be examined on the following Department of Justice Web site, http://www.usdoj.gov/enrd/Consent_Decrees.html. A copy of the First Amendment may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood (tonia.fleetwood@usdoj.gov), fax no. (202) 514-0097, phone confirmation number (202) 514-1547. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$4.00 (25 cents per page reproduction cost) payable to the U.S. Treasury. The check should refer to *United States et al.*

v. Knoxville Utilities Board, DJ No. 90-5-1-1-08186.

Henry Friedman,

Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. E9-3019 Filed 2-11-09; 8:45 am]

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DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms and Explosives

[OMB Number 1140-0036]

Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day Notice of Information Collection Under Review: FFL Out-of-Business Records Request.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until April 13, 2009. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Pat Power, Chief, Federal Firearms Licensing Center, 244 Needy Road, Martinsburg, WV 25405.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and