

TE095181-0 in such comments, or in requests of the documents discussed above.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator, Southeast Regional Office (see **ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or George Dennis, Fish and Wildlife Biologist, South Florida Ecological Services Office, Vero Beach, Florida (see **ADDRESSES** above), telephone: 772/562-3909, ext. 309.

**SUPPLEMENTARY INFORMATION:** If you wish to comment, you may submit comments by any one of several methods. You may mail comments to the Service's Southeast Regional Office (see **ADDRESSES**). You may also comment via the Internet to [david\\_dell@fws.gov](mailto:david_dell@fws.gov). Please submit comments over the Internet as an ASCII file, avoiding the use of special characters and any form of encryption. Please also include your name and return address in your Internet message. If you do not receive a confirmation from the Service that we have received your Internet message, contact us directly at either telephone number listed above (see **FURTHER INFORMATION**). Finally, you may hand-deliver comments to either Service office listed above (see **ADDRESSES**). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home addresses from the administrative record. We will honor such requests to the extent allowable by law. There may also be other circumstances in which we would withhold from the administrative record a respondent's identity, as allowable by law. If you wish us to withhold your name and address, you must state this prominently at the beginning of your comments. We will not, however, consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

The Florida scrub-jay (scrub-jay) is geographically isolated from other species of scrub-jays found in Mexico and the western United States. The scrub-jay is found exclusively in peninsular Florida and is restricted to xeric uplands (mostly consisting of oak-dominated scrub). Increasing urban and agricultural development has resulted in habitat loss and fragmentation, which has adversely affected the distribution

and numbers of scrub-jays. The total estimated population is between 7,000 and 11,000 individuals. The decline in the number and distribution of scrub-jays in Florida has been exacerbated by tremendous urban growth in the past 50 years.

Xeric upland vegetative communities in southwestern Florida are restricted primarily to ancient coastal dunes which are typically much dryer and less susceptible to flooding due to their deep, well-drained soils. Historically, these areas extended in a nearly continuous, narrow band along the western mainland portions of northern Charlotte to southern Hillsborough County. However, the same physical attributes that resulted in the evolution of xeric vegetation on these sandy dunes also provided sites for both agriculture and urban development. Over the past 50 years, these ancient dunes have served as the backbone of residential and commercial growth in southwestern Florida. The Project area is under tremendous development pressure, as is much of Charlotte County. Much of the remaining scrub-jay habitat is now relatively small and isolated. What remains is largely degraded due to interruption of the natural fire regime, which is needed to maintain xeric uplands in conditions suitable for scrub-jays.

Florida scrub-jays using the Project area were documented on several occasions by researchers collecting data on scrub-jays in the subdivision and surrounding areas. Based on preliminary information, it appears that a family of scrub-jays, of up to five individuals maintains a territory that includes the Project area. It is not known whether these families of scrub-jays previously nested on the subject lot, though the birds apparently use the scrub vegetation on site for foraging and shelter. Scrub-jays using the Project site are part of a metapopulation of scrub-jays in Charlotte County that occurs east of the Peace River and Punta Gorda. The continued survival and recovery of scrub-jays in this area may be dependent on the maintenance of suitable habitat and the restoration of unsuitable habitat.

Scrub-jays in urban areas are particularly vulnerable and typically do not successfully produce young that survive to adulthood. Persistent urban growth in the Project area will likely result in further reductions in the amount of suitable habitat for scrub-jays. Increasing urban pressures are also likely to result in the continued degradation of scrub-jay habitat as exclusion of the natural fire regime slowly results in vegetative overgrowth.

Thus, over the long term, scrub-jays are unlikely to persist in urban settings, and conservation efforts for this species should target acquisition and management of large parcels of land outside the direct influence of urbanization.

Construction of the Project's infrastructure and facilities will result in harm to scrub-jays, incidental to the carrying out of these otherwise lawful activities. Habitat alteration associated with the proposed residential construction will reduce the availability of nesting, foraging, and sheltering habitat for a family of scrub-jays. The Applicants propose to minimize take of scrub-jays by preserving 4.5 acres of scrub-jay habitat on their 5.5-acre lot in perpetuity. This is a 4.5:1 mitigation ratio.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, the ITP will be issued for incidental take of the Florida scrub-jay. We 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.

Dated: February 9, 2005.

**Noreen Walsh,**

*Acting Regional Director, Southeast Region.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Draft Environmental Impact Report/ Environmental Impact Statement and Receipt of an Application for an Incidental Take Permit for the Coachella Valley Multiple Species Habitat Conservation Plan, Riverside County, CA**

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

**ACTION:** Notice of availability; reopening of public comment period.

**SUMMARY:** The Fish and Wildlife Service (Service) is reopening the public comment period on the Draft Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP), Draft Implementing Agreement, and Draft Environmental Impact Report/ Environmental Impact Statement (EIR/

EIS) for an incidental take permit for 27 species in Riverside County, California.

**DATES:** To ensure consideration of comments, they must be received on or before March 7, 2005.

**ADDRESSES:** Comments should be sent to Mr. Jim Bartel, Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 6010 Hidden Valley Road, Carlsbad, California 92009. You may also submit comments by facsimile to (760) 431-9624.

Information, comments, and/or questions related to the EIR and the California Environmental Quality Act should be submitted to Mr. Jim Sullivan at Coachella Valley Association of Governments, 73710 Fred Waring Drive, Suite 200, Palm Desert, California 92260; facsimile (760) 340-5949.

**FOR FURTHER INFORMATION CONTACT:** Ms. Therese O'Rourke, Assistant Field Supervisor, U.S. Fish and Wildlife Service, Carlsbad Fish and Wildlife Office (see **ADDRESSES**); telephone (760) 431-9440; or Mr. Jim Sullivan, Coachella Valley Association of Governments (see **ADDRESSES**), telephone (760) 346-1127.

**SUPPLEMENTARY INFORMATION:**

**Availability of Documents**

Documents available for public review include the permit applications, the Public Review Draft MSHCP and Appendices I (the Technical Appendix) and II (the Planning Agreement), the accompanying Draft Implementing Agreement, and the Draft EIR/EIS.

Individuals wishing 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 **ADDRESSES**). Copies of the MSHCP, Draft EIR/EIS, and Draft Implementing Agreement also are available for public review, by appointment, during regular business hours, at the Carlsbad Fish and Wildlife Office or at the Coachella Valley Association of Governments (see **ADDRESSES**). Copies are also available for viewing in each of the Applicant cities, in the Applicants public libraries, the Riverside County Planning Departments, and on the World Wide Web at <http://www.cvmshcp.org>.

**Background**

The Coachella Valley Association of Governments, Coachella Valley Conservation Commission (to be formed prior to a permit decision), County of Riverside, Riverside County Flood Control and Water Conservation District, Riverside County Parks and Open Space District, Riverside County Waste Management District, Coachella

Valley Water District, Imperial Irrigation District, California Department of Transportation, California Department of Parks and Recreation, Coachella Valley Mountains Conservancy, and the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage (Applicants) have applied to the Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicants seek a permit to incidentally take 22 animal species and assurances for 5 plant species, including 17 unlisted species should any of them become listed, under the Act during the term of the proposed 75-year permit. The permit is needed to authorize take of listed animal species (including harm, injury, and harassment) during development in the approximately 1.1 million-acre (1,719-square-mile) Plan Area in the Coachella Valley of Riverside County, California.

On November 5, 2004, we published a "Notice of Availability of a Draft Environmental Impact Report/ Environmental Impact Statement and Receipt of an Application for an Incidental Take Permit for the Coachella Valley Multiple Species Habitat Conservation Plan, Riverside County, CA" (69 FR 64581). In that notice, we requested public comment on the Draft MSHCP, Draft Implementing Agreement, and Draft EIR/EIS. The Draft Environmental Impact Statement is the Federal portion of the Draft EIR/EIS prepared jointly by the Service and Coachella Valley Association of Governments to analyze the impacts of the MSHCP. The analyses provided in the Draft EIR/EIS are intended to inform the public of the proposed action, alternatives, and associated impacts; address public comments received during the scoping period for the Draft EIR/EIS; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

The comment period for the November 5, 2004, notice closed on February 3, 2005. We are now reopening the comment period until March 7, 2005. Comments on the Draft MSHCP, Draft Implementing Agreement, and Draft EIR/EIS need not be resubmitted, as they will be fully considered in the final decision documents.

**Authority:** This notice is provided pursuant to section 10(a) of the Act as amended (16 U.S.C. 1531 *et seq.*), and the Service regulations (40 CFR 1506.6) for

implementing the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: February 15, 2005.

**Ken McDermond,**

*Deputy Manager, Region 1, California/Nevada Operations Office, Sacramento, California.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Reclamation**

**Fish and Wildlife Service**

**Long-Term Environmental Water Account, San Francisco Bay/ Sacramento-San Joaquin Delta, CA**

**AGENCY:** Bureau of Reclamation and Fish and Wildlife Service, Interior.

**ACTION:** Notice of intent to prepare an environmental impact statement/ environmental impact report (EIS/EIR) and notice of public scoping meetings.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA), the Bureau of Reclamation (Reclamation), the Fish and Wildlife Service (FWS), and the California Department of Water Resources (DWR) intend to prepare an EIS/EIR for implementing the Long-Term Environmental Water Account (EWA). Reclamation and the FWS are the joint lead Federal agencies and NOAA Fisheries is a cooperating agency. DWR is the lead State agency and the Department of Fish and Game (DFG) is the responsible agency and trustee agency. A Draft EIS/EIR is expected to be available December 2005.

The EWA has been established to provide water for the protection and recovery of fish beyond water available through existing regulatory actions related to the Central Valley Project/ State Water Project (Project) operations. The EWA is a cooperative management program whose purpose is to provide protection to the fish of the Bay-Delta estuary through environmentally beneficial changes in project operations. This approach to fish protection requires the acquisition of alternative sources of Project water supply, called "assets," which will be used to augment streamflows and Delta outflows, modify exports to provide fishery benefits, and repay the Project contractors whose supplies have been interrupted by actions taken to benefit fish. The period of analysis for the purposes of the EIS/EIR is through 2030.