

for the meeting online at <http://restoration.doi.gov/faca> or may request the draft agenda from Ms. Schmalz. In preparation for the first meeting of the Advisory Committee, the Committee and the public can find helpful background information at the Restoration Program website <http://restoration.doi.gov>. The site provides a good introduction to the program for those who are relatively new to the damage assessment and restoration arena and a useful reference for seasoned practitioners and policy leaders. Links to the statutory and regulatory framework for the program are found at <http://restoration.doi.gov/laws.htm>. DOI Program policies are found at <http://restoration.doi.gov/policy.htm>.

#### Agenda for Meeting

The agenda will cover the following principal subjects:

- Keynote/Kickoff address by senior Departmental official
- Discussion and finalization of committee by-laws
- Program Authorities, Responsibilities, and Application
- Formal public input (if any)
- Charge to the Committee

**Meeting Access:** Individuals requiring special accommodation at this meeting must contact Ms. Barbara Schmalz (see contact information below) by noon eastern standard time on November 21, 2005, so that appropriate arrangements can be made.

**DATES:** November 30, 2005, from 1 p.m. to 5 p.m. (administrative business meeting) December 1, 2005, from 8 a.m. to 3 p.m. (open to the public).

**ADDRESSES:** Auditorium, U.S. Fish and Wildlife Service National Conservation and Training Center, 698 Conservation Way, Shepherdstown, WV 25443.

All individuals attending the Committee Meeting will be required to present photo identification to NCTC security to gain access to the Training Center campus.

#### FOR FURTHER INFORMATION CONTACT:

Barbara Schmalz, U.S. Department of the Interior, Denver Federal Center, 6th Avenue & Kipling, Building 56 Room 1003 Mail Stop D-108, Denver, CO 80225-0007; phone 303-445-2500; fax 303-445-6320 or [barbara\\_schmalz@ios.doi.gov](mailto:barbara_schmalz@ios.doi.gov).

Dated: November 4, 2005.

#### Frank M. DeLuise,

Designated Federal Officer, DOI Natural Resource Damage Assessment and Restoration Advisory Committee.

[FR Doc. 05-22392 Filed 11-9-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Draft Environmental Assessment/Habitat Conservation Plan; Incidental Take Permit Amendment for the Struthers Ranch Property, Colorado Springs, El Paso County, CO

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

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

**SUMMARY:** WL Homes, LLC, doing business as John Laing Homes (Applicant), has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act) of 1973, as amended. The requested permit amendment would authorize the incidental take of the federally threatened Preble's meadow jumping mouse, *Zapus hudsonius preblei* (Preble's), through loss and modification of its habitat associated with the expansion and amendment of the Struthers Ranch Property Environmental Assessment/Habitat Conservation Plan (EA/HCP) in El Paso County, Colorado. The EA/HCP is available for public review and comment. It fully describes the proposed project and the measures the Applicant would undertake to minimize and mitigate project impacts to the Preble's.

The Service requests comments on the EA/HCP and associated documents for the proposed issuance of the incidental take permit. All comments on the EA and permit amendment application will become part of the administrative record and will be available to the public.

**DATES:** Written comments on the permit amendment application and EA/HCP should be received on or before December 12, 2005.

**ADDRESSES:** Comments regarding the permit amendment application and EA/HCP should be addressed Susan Linner, Field Supervisor, U.S. Fish and Wildlife Service, Colorado Field Office, 755 Parfet Street, Suite 361, Lakewood, Colorado 80215. Comments also may be submitted by facsimile to (303) 275-2371. Individuals wishing copies of the EA/HCP and associated documents for review or public inspection should immediately contact the above office during normal business hours at the above address.

#### FOR FURTHER INFORMATION CONTACT:

Adam Misztal, Fish and Wildlife Biologist, Colorado Field Office (see **ADDRESSES** above), telephone (303) 275-2377.

## SUPPLEMENTARY INFORMATION:

### Background

Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and Federal regulations prohibit the "take" of a species listed as endangered or threatened. Take is defined under the Act, in part, as to kill, harm, or harass a federally listed species. However, the Service may issue permits to authorize "incidental take" of listed species under limited circumstances. Incidental take is defined under the Act as take of a listed species that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity under limited circumstances. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32.

The Applicant currently holds a permit for incidental take of Preble's at the Struthers Ranch Property (69 FR 1998). The permit was issued on December 12, 2003, to Struthers Ranch Development, LLC, then transferred to the Applicant on January 28, 2005, and expires on January 28, 2035. The Struthers Ranch Property is located along Black Forest Creek southeast of the Town of Monument, El Paso County, Colorado. The Applicant, using the Service's definition of Preble's habitat, has determined that the proposed amended project would impact approximately 0.2 hectare (0.5 acre) of potential Preble's habitat, in addition to the 6.6 hectares (16.4 acres) of impacts from the original project, and may result in incidental take of the Preble's in an area that may be periodically used as foraging, breeding or hibernation habitat.

An HCP has been developed as part of the preferred alternative. Three other alternatives to this action were considered and rejected because the environmental impacts would be greater than, or similar to, the proposed action, but would not provide as great a conservation benefit as the proposed action, and/or were not economically viable. The draft EA analyzes the onsite, offsite, and cumulative impacts of the proposed project and all associated development and construction activities and mitigation activities on the Preble's, and also on other threatened or endangered species, vegetation, wildlife, wetlands, geology/soils, land use, water resources, air and water quality, and cultural resources.

Only the threatened Preble's occurs on site and has the potential to be adversely affected by the project. Activities proposed to be covered by the EA/HCP amendment are a larger box culvert crossing over Black Forest Creek, new road alignment, and relocation

and/or additional placement of rip-rap used to stabilize the drainage. Measures will be taken during construction to minimize impact to the habitat, including the use of silt fencing to reduce the amount of sediment from construction activities that reaches the creek. Mitigation is planned for approximately 0.2 hectare (0.5 acre) in addition to the 14.4 hectares (35.5 acres) of varying amounts of restoration, enhancement, and creation of on-site upland and riparian Preble's habitat as described in the original HCP. Limited enhancement has already occurred on 3.3 hectares (8.1 acres) of uplands from the removal of cattle grazing to encourage existing native grass recovery. This results in a mitigation ratio of 2.14:1 for temporary impacts as well as permanent impacts. The mitigation will likely provide a net benefit to the Preble's and other wildlife by improving and creating new riparian areas, planting of native shrubs and grasses, and protecting the habitat corridor along Black Forest Creek from any future development. All of the proposed mitigation area is within the boundaries of the Struthers Ranch property, all of which is included in the drainage basin of Black Forest Creek.

We will evaluate the permit amendment application, the EA/HCP, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit amendment will be issued for the incidental take of the Preble's in conjunction with the Struthers Ranch Property. The final permit decision will be made no sooner than 30 days after the date of this notice.

Dated: October 14, 2005.

**Ralph O. Morgenweck,**

*Regional Director, Region 6.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-030-5101-ER-F340; N-76800, N-76897]

#### Notice of Availability for the North Valleys Rights-of-Way Projects Final Environmental Impact Statement

**AGENCY:** Department of the Interior, Bureau of Land Management, Carson City Field Office, Nevada.

**ACTION:** Notice of availability of a final environmental impact statement (EIS) for the North Valleys Rights-of-Way

Projects and initiation of a 30-day comment period.

**SUMMARY:** Pursuant to Section 102(2)(C) of the National Environmental Policy Act (NEPA) and 40 CFR 1500-1508 Council on Environmental Quality Regulations (CEQ), notice is given that the Bureau of Land Management, Carson City Field Office (BLM) has prepared, with the assistance of a third-party consultant, a Final EIS for the proposed North Valleys Rights-of-Way Projects, and has made the document available for public and agency review. The proposed Projects include the construction and operation of two separate water supply and transmission projects located in Washoe County, Nevada. Rights-of-way applications were submitted to the BLM from Intermountain Water Supply, LTD and Fish Springs Ranch, LLC for production well(s), pump station(s), transmission pipeline(s), terminal water storage tank, electrical substation, overhead power lines, and access road rights-of-way.

**DATES:** *Effective Dates:* The comment period for the Final EIS will commence with the publication of this notice. The formal comment period will end 30 days after publication of this notice. Comments should be received on or before the end of the comment period at the address listed below.

**ADDRESSES:** Written comments should be sent to BLM Carson City Field Office, Attn: Terri Knutson, 5665 Morgan Mill Road, Carson City, NV 89701; Fax (775) 885-6147; or e-mail address [nvalleyswater\\_eis@blm.gov](mailto:nvalleyswater_eis@blm.gov). A limited number of the Final EIS may be obtained at the above BLM Field Office in Carson City, NV. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours (7:30 a.m.-5 p.m.), Monday through Friday, except holidays, and may be published as part of the EIS. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. However, we will not consider anonymous comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

**FOR FURTHER INFORMATION CONTACT:** For additional information, write to the above address or call Terri Knutson (BLM Environmental Planner) at (775) 885-6156 or Ken Nelson (BLM Realty Specialist) at (775) 885-6114.

**SUPPLEMENTARY INFORMATION:** The BLM Carson City Field Office received separate rights-of-way applications from the Fish Springs Ranch, LLC and Intermountain Water Supply, LTD, two independent water companies, proposing to construct and operate water transmission pipelines across public lands in Washoe County, Nevada. The BLM determined that due to the same timing, geography, and similarity of the types of actions, the two proposals would be analyzed in one EIS, together known as the North Valleys Rights-of-Way Projects. Each company is proposing to construct and operate water supply and transmission projects to meet present and future water demands of the Stead/Silver Lake/Lemmon Valley areas (North Valleys) in Washoe County. The proposed Projects consist of groundwater production wells, pump station(s), transmission pipeline(s), electrical substation, overhead power lines, and terminal water storage tank to convey water. The Fish Springs Ranch, LLC proposed pipeline (carrying 8000 acre-feet per year) would begin at the Fish Springs Ranch and proceed approximately 33 miles to the North Valleys. The Intermountain Water Supply, LTD original proposal included a water pipeline to convey approximately 3500 acre-feet per year that would begin in Dry Valley and proceed east a short distance before tying into the same general route south approximately 24 miles to the North Valleys. As a result of a review of public comments and groundwater modeling results for the Draft EIS, Intermountain Water Supply, LTD has reduced their proposed pumping rate to a total of 2500 acre-feet per year for the Final EIS.

The Final EIS assesses the impacts of the two proposed rights-of-way actions and the No Action alternatives and considers an alternative alignment of the pipelines. The Final EIS addresses issues brought forth through scoping and the Draft EIS and has been evaluated by an interdisciplinary team of specialists. The proposed rights-of-way cross several jurisdictions with permitting responsibilities, therefore, the following agencies or entities are active participants in the EIS process as formal cooperating agencies: U.S. Fish & Wildlife Service; U.S. Bureau of Indian Affairs; U.S. Geological Survey; Sierra Army Depot; Pyramid Lake Paiute Tribe;