

monitoring and adaptive management measures.

### Rationale for Decision

We have selected the preferred alternative (Alternative B) for implementation based on multiple environmental and social factors, including potential impacts and benefits to covered species and their habitat, the extent and effectiveness of minimization and mitigation measures, and social and economic considerations.

In order for us to be able to issue an ITP, we must ascertain that the RHCP meets the criteria set forth in 16 U.S.C. 1539(a)(2)(A) and (B). We have made that determination. These criteria, and how the RHCP satisfies these criteria, are summarized below:

1. The taking will be incidental. We find that the take will be incidental to otherwise lawful activities, including the proposed road construction, maintenance, and improvement projects; utility construction and maintenance; school development and construction; public or private construction and development; and land clearing. The take of individuals of covered species will be primarily due to habitat destruction and/or alteration.

2. The applicant will, to the maximum extent practicable, minimize and mitigate the impacts of such takings. The County has committed to a wide variety of conservation measures, land acquisition, management activities, monitoring, adaptive management, and other strategies designed to avoid and minimize harm to the covered species and mitigate for any unavoidable loss. Impacts to the covered species will be minimized and mitigated as described in the selected alternative section above.

3. The applicant will develop an HCP and ensure that adequate funding for the HCP will be provided. The County has developed the RHCP and committed to fully funding all of the obligations necessary for its implementation. These obligations include the cost for purchase of GCWA, BCVI, Bone Cave harvestman, and Coffin Cave mold beetle habitat, management of mitigation lands in perpetuity, enforcement of conservation easements, and monitoring of species populations and habitat. In addition, the County has committed to adaptive management measures that identify areas of uncertainty and questions that need to be addressed to resolve this uncertainty; developed alternative management strategies and determine which experimental strategies to implement; integrate a monitoring program that is able to acquire the necessary information for effective strategy evaluation; and incorporate

feedback loops that link implementation and monitoring to the decision-making process that result in appropriate changes in management. To accomplish RHCP implementation, the County estimated that costs could total up to \$80.8 million. The County will fund the actual costs of implementing the RHCP by advance funding from participation fees, endowment investment income, road improvement mitigation funds, and tax benefit financing.

The Service's No Surprises Assurances are discussed in the RHCP, and measures to address changed and unforeseen circumstances have been identified. Adaptive management in the form of conservation, mitigation, or management measures and monitoring will be implemented to address changed circumstances over the life of the permit that were able to be anticipated at the time of RHCP development. Unforeseen circumstances would be addressed through the Service's close coordination with the County in the implementation of the RHCP. The County has committed to a coordination process to address such circumstances.

We have, therefore, determined that the County's financial commitment and plan, along with the County's willingness to address changed and unforeseen circumstances in a cooperative fashion, is sufficient to meet this criterion.

4. The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. As the Federal action agency considering whether to issue an ITP to the County, we have reviewed the issuance of the ITP under section 7 of the ESA. Our biological opinion concluded that issuance of the ITP will not jeopardize the continued existence of the GCWA, BCVI, Bone Cave harvestman, and Coffin Cave mold beetle in the wild. No critical habitat has been designated for any of the covered species in the action area, and thus none will be affected.

5. The applicant agrees to implement other measures that the Service requires as being necessary or appropriate for the purposes of the HCP. We have cooperated with the County in the development of the RHCP. We commented on draft documents, participated in advisory group meetings, and worked closely with the County in every step of plan and document preparation, so that conservation of the covered species would be assured and recovery would not be jeopardized. The RHCP incorporates our recommendations for minimization and mitigation of impacts, as well as steps to monitor the effects of the RHCP and

ensure success. Annual monitoring, as well as coordination and reporting mechanisms, have been designed to ensure that changes in conservation measures can be implemented if measures prove ineffective or impacts exceed estimates. It is our position that no additional measures are required to implement the intent and purpose of the RHCP to those detailed in the RHCP and its associated ITP.

We determine that the preferred alternative best balances the protection and management of suitable habitat for covered species, while allowing and providing a streamlined process for ESA compliance for continued development in the County. Considerations used in this decision include: (1) Mitigation will benefit GCWA, BCVI, Bone Cave harvestman, and Coffin Cave mold beetle, managed for the species in perpetuity, as well as other conservation measures to protect and enhance habitat; (2) mitigation measures species will fully offset anticipated impacts of development to the species and provide recovery opportunities; and (3) the RHCP is consistent with the GCWA, BCVI, Bone Cave harvestman, and Coffin Cave mold beetle recovery plans.

**Thomas L. Bauer,**

*Acting Regional Director, Region 2.*

[FR Doc. E9-8388 Filed 4-13-09; 8:45 am]

**BILLING CODE 4310-55-P**

---

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV-930-1430-ET; NVN-83210; 9-08807; TAS:14x1109]

#### Public Land Order No. 7731; Withdrawal of Public Lands for Gold Point and Ione Townsites; Nevada

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Public Land Order No. 7731, Withdrawal of Public Lands for Gold Point and Ione Townsites; Nevada.

**SUMMARY:** This order withdraws approximately 672 acres of public lands from location and entry under the United States mining laws for a period of 5 years to protect historic and cultural resources within the Gold Point and Ione Townsites pending special legislation that would resolve land ownership conflicts.

**DATES:** *Effective Date:* April 10, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline Gratton, Bureau of Land Management, Nevada State Office, P.O. Box 12000, 1340 Financial Boulevard, Reno, Nevada 89520, 775-861-6532.

**SUPPLEMENTARY INFORMATION:** The withdrawal will preserve the historic and cultural resources within the towns of Gold Point and Ione in aid of legislation.

#### Order

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (2000), *it is ordered* as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from settlement, sale, location, or entry under the United States mining laws:

#### Mount Diablo Meridian

T. 7 S., R. 41 1/2 E.,

Sec. 3, SE 1/4 NW 1/4, N 1/2 NE 1/4 SW 1/4, SW 1/4 NE 1/4 SW 1/4, W 1/2 SW 1/4, W 1/2 SE 1/4 SW 1/4, SE 1/4 SE 1/4 SW 1/4, and SW 1/4 SW 1/4 SE 1/4;

Sec. 10, N 1/2 NW 1/4 NW 1/4 NE 1/4, N 1/2 NE 1/4 NE 1/4 NW 1/4, NW 1/4 NE 1/4 NW 1/4, and N 1/2 NW 1/4 NW 1/4.

The area described contains 230 acres in Esmeralda County.

T. 13 N., R. 39 E.,

Sec. 32, E 1/2 SE 1/4 SE 1/4;  
Sec. 33, NE 1/4 SE 1/4 and S 1/2;  
Sec. 34, lots 9 to 26, inclusive, and S 1/2 NW 1/4.

The area described contains 442.02 acres in Nye County.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of lands under lease, license, or permit or governing the disposal of their mineral or vegetative resources other than under the mining laws.

3. This withdrawal will expire 5 years from the effective date of this order unless, as a result of a review conducted before the expiration date pursuant to Section 204(f) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714(f) (2000), the Secretary determines that the withdrawal shall be extended.

Dated: April 10, 2009.

**Ken Salazar,**

*Secretary of the Interior.*

[FR Doc. E9-8604 Filed 4-10-09; 4:15 pm]

BILLING CODE 4310-HC-P

## DEPARTMENT OF JUSTICE

### National Institute of Corrections

#### Solicitation for a Cooperative Agreement—Evidence Based Strategic Planning in Southern California

**AGENCY:** National Institute of Corrections, Department of Justice.

**ACTION:** Solicitation for a cooperative agreement.

**SUMMARY:** The National Institute of Corrections (NIC), Community Corrections Division, is seeking applications for the development of evidence based strategic plans in four Southern California County Probation Departments. Efforts to develop initial plans in county probation departments will happen over a 9-month period, and will be carried out in conjunction with the NIC Community Corrections Division. NIC Community Corrections staff will direct and participate in the planning efforts to ensure consistency with other evidence based planning and implementation work coordinated through NIC. Note that this particular Cooperative Agreement is intended to cover only the initial strategic planning phase for each site, as described below in the section entitled **SUPPLEMENTARY INFORMATION**.

**DATES:** Applications must be received by 4 p.m. EDT on Tuesday, June 2, 2009.

**ADDRESSES:** Mailed applications must be sent to: Director, National Institute of Corrections, 320 First Street, NW., Room 5007, Washington, DC 20534.

Applicants are encouraged to use Federal Express, UPS, or a similar service to ensure delivery by the due date, as mail at NIC is sometimes delayed due to security screening.

Applicants who wish to hand-deliver their applications should bring them to 500 First Street, NW., Washington, DC 20534, and dial 202-307-3106, ext. 0, at the front desk for pickup.

Faxed or e-mailed applications will not be accepted.

**FOR FURTHER INFORMATION CONTACT:** A copy of this announcement and the required application forms can be downloaded from the NIC Web page at <http://www.nicic.gov/cooperativeagreements>.

All technical questions concerning this announcement should be directed to Pam Davison at 202-353-0484 or at [pdavison@bop.gov](mailto:pdavison@bop.gov).

#### SUPPLEMENTARY INFORMATION:

**Background:** Since 2002, NIC has been involved in evidence based planning and implementation initiatives in several State and local court and community corrections agencies. The importance of up front organizational development work, encompassed within the strategic planning process, has been critical to those agencies that have desired to maintain continuing service enhancements over time.

**Strategic Planning:** For purposes of this Cooperative Agreement, strategic planning includes the following

activities: 1. On site orientation to evidence based information pertaining to behavior change, recidivism reduction, and organizational development processes. 2. Up front organizational assessment of each participating Probation Department, related at a minimum to: (a) Readiness for change; (b) Knowledge of evidence based principles; (c) Leadership prowess; (d) Operational and project management skills; and (e) Collaborative partnerships. 3. Inventory of risk tools, performance evaluation processes and data reports. 4. Investigation of each agency's access to data and capability for reporting and data analysis. 5. Establishment of a planning process and documentation framework. 6. Creation of adjunct sub-plans as needed that roll up to the umbrella plan; such as plans specifically aimed at data and outcomes, communication, and quality assurance.

**Physical Documentation:** Simple matrix planning formats and GANTT charts with annotations are preferred.

**Scope of Work/Products:** At the end of the nine-month period, each of the participating county probation departments should have established a strategic planning process that can be engaged to support the continuing progress of evidence based implementation. Tangible products of the awardee's involvement with the county and with NIC should at a minimum include: (a) Gap analysis results for the organization, its leadership and management, and its offender services; (b) Matrix Planning format; (c) Timelines documented on a changeable GANTT chart; (d) Measureable objectives and goals, related ultimately to recidivism reduction.

**Budget and Strategy Narratives:** The applicant's submission narratives should include suggested on-site protocols for training, assessing and facilitating group planning processes. Include costs associated with assessment tools, analysis and travel.

Please also note suggested budget adjustments for contingencies, such as the possibility that only three counties participate; or that an additional fifth county participates.

**Application Requirements:** An application package must include OMB Standard Form 425, Application for Federal Assistance; a cover letter that identifies the audit agency responsible for the applicant's financial accounts as well as the audit period or fiscal year that the applicant operates under (*e.g.*, July 1 through June 30); and an outline of projected costs with the budget and strategy narratives described in this announcement. The following