

Dated: June 9, 2009.

**Cartina Miller,**

*NPS, Information Collection Clearance Officer.*

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Coastal Impact Assistance Program (CIAP) Allocations, Fiscal Years 2009-2010

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of Availability of Recipient Allocation Amounts for Fiscal Years 2009 and 2010.

**SUMMARY:** The MMS is issuing this notice to advise the public of the availability of the individual allocation amounts available to each of the 73 eligible recipients of the CIAP. The amounts are an important piece of information to be used by the States and Coastal Political Subdivisions (CPSs) in the completion of CIAP grant applications.

**FOR FURTHER INFORMATION CONTACT:** Ms. Colleen Benner, Minerals Management Service, 381 Elden Street, Mail Stop 4040, Herndon, Virginia 20170. You may also contact Ms. Benner by telephone at (703) 787-1710.

**SUPPLEMENTARY INFORMATION:** The Energy Policy Act of 2005 (Act) created CIAP by amending Section 31 of the Outer Continental Shelf (OCS) Lands Act (43 U.S.C. 1356(a)). Under the provisions of the Act, the authority and responsibility for the management of CIAP is vested in the Secretary of the Interior (Secretary). The Secretary has delegated this authority and responsibility to MMS. In the February 16, 2007, continuing resolution, Congress approved a 3 percent appropriation of the CIAP funds to be used by MMS to administer the program. Under Section 384 of the Act, MMS shall disburse \$250 million for each fiscal year 2007 through 2010 to eligible producing States and CPSs. Each eligible State is allocated its share based on the qualified OCS revenues generated off of its coast in proportion to the total qualified OCS revenues generated off the coast of all eligible States. In order to receive CIAP funds, States are required to submit a coastal impact assistance plan (Plan) that MMS must approve prior to disbursing any funds. All funds shall be disbursed through a grant process. The guidance has been developed by MMS to provide

the information necessary for States to develop a Plan and submit it to MMS. The allotment amounts and guidelines may be found on the MMS Web site at <http://www.mms.gov/offshore/CIAPmain.htm>.

Dated: June 8, 2009.

**Walter D. Cruickshank,**

*Acting Director, Minerals Management Service.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R8-ES-2009-N116; 81440-1112-0000-F2]**

#### Endangered and Threatened Wildlife and Plants; Permits, Beacon Solar Energy Project, Kern County, CA

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

**ACTION:** Notice of intent to undertake scoping for an environmental document (Environmental Assessment or Environmental Impact Statement) related to a habitat conservation plan for the proposed Beacon Solar Energy Project.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), advise the public that we intend to conduct public scoping under the National Environmental Policy Act of 1969 (NEPA) to gather information necessary to help develop a NEPA document in connection with a proposed Habitat Conservation Plan (HCP) for the Beacon Solar Energy Project (Beacon HCP), currently under development by Beacon Solar LLC (the applicant). To be implemented near California City, in Kern County, California, the proposed Beacon HCP forms part of an incidental take permit application under the Endangered Species Act of 1973, as amended (Act). The requested permit term is 45 years. We provide this notice to obtain suggestions, comments, and useful information from other agencies and the public on the scope of the document, including the significant issues deserving of study, the range of alternatives, and the range of impacts to be considered.

**DATES:** We must receive any written comments on or before July 17, 2009.

**ADDRESSES:** *Written Submissions:* Please address written information, comments, or questions related to the preparation of the EA or EIS to Diane Noda, Field Supervisor, U.S. Fish and Wildlife Service, Ventura Fish and Wildlife

Office, 2493 Portola Road, Suite B, Ventura, CA 93003. Alternatively, you may fax comments to (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Judy Hohman, Fish and Wildlife Biologist, (see **ADDRESSES**), telephone (805) 644-1766, extension 304.

#### SUPPLEMENTARY INFORMATION:

##### Background

We intend to scope under NEPA (42 U.S.C. 4321 *et seq.*) to gather information necessary to help develop a NEPA document in connection with our proposed action or reaching a permit decision on the Beacon Solar Energy Project's proposed HCP. The HCP forms part of an incidental take permit application under the Act (16 U.S.C. 1531 *et seq.*). We provide this notice to obtain suggestions and information on the scope of issues and alternatives to be considered in the NEPA document. An EA is prepared for Federal actions that will have a less than significant effect on all resources impacted in the human environment, or to determine whether an EIS should be prepared. An EIS is prepared for Federal actions that will have a significant impact on one or more resources in the human environment. We will determine if an EA or an EIS will be prepared based on the public comments received and the complexity of issues identified during the scoping phase of the NEPA process.

Section 9 of the Act and Federal regulations prohibit the "take" of fish and wildlife species listed as endangered or threatened. Take of federally listed fish or wildlife is defined under the Act to include the following activities: To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct (16 U.S.C. 1532). "Harm" in the definition of take includes significant habitat modification or degradation that kills or injures listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3(c)). Under section 10(a) of the Act, we may issue permits to authorize "incidental take" of listed species. Any proposed incidental take must be incidental to otherwise lawful activities, not appreciably reduce the likelihood of the survival and recovery of the species in the wild, and minimize and mitigate the impacts of such take to the maximum extent practicable. In addition, the applicant must prepare a HCP describing the impact that will likely result from such taking, the strategy for minimizing and mitigating the incidental take, the funding available to implement such steps,