

will be created during development. Project facilities and infrastructure will be placed on private land via long-term easement agreements between Buckeye Wind and respective landowners.

While approximately 80,051 acres are located within the Buckeye Wind action area, a relatively small portion of that land, approximately 0.16 percent (129.8 acres), will be permanently occupied by the project facilities. Beyond the approximately 129 acres of occupied area, as described in Section 2.2 of the HCP, the project will not impact or change the existing land use.

The draft HCP describes the impacts of take associated with Buckeye Wind's activities and includes measures to avoid, minimize, mitigate, and monitor the impacts of incidental take on the Indiana bat. Buckeye Wind will be mitigating for take and associated impacts through permanent preservation, enhancement, and restoration of suitable Indiana bat habitat within 7 miles of a Priority 2 Indiana bat hibernaculum (USFWS, 2007, Draft Indiana Bat Recovery Plan) in Ohio. Mitigation will occur on private lands and will be permanently protected by a conservation easement held by a third-party conservation organization. Section 6.3 of the HCP describes the details of compensatory mitigation and its implementation. The HCP also includes numerous avoidance and minimization measures, as described in sections 6.1 through 6.2, as well as adaptive management, as described in section 6.5, which will limit the take of the Indiana bat.

The Service is soliciting information regarding the adequacy of the HCP to avoid, minimize, mitigate, and monitor the proposed incidental take of the covered species and to provide for adaptive management. In compliance with section 10(c) of the ESA (16 U.S.C. 1539(c)), the Service is making the ITP application materials available for public review and comment as described above.

We invite comments and suggestions from all interested parties on the draft documents associated with the ITP application (HCP, HCP Appendices, and IA), and request that comments be as specific as possible. In particular, we request information and comments on the following topics:

1. Whether adaptive management and monitoring provisions in the Proposed Action alternative are sufficient;
2. Any threats to the covered species that may influence its population over the life of the ITP that are not addressed in the HCP or EIS;

3. Any new information on white-nose syndrome effects on the covered species;

4. Whether the models and model inputs used to estimate risk to the covered species are appropriate; and

5. Any other information pertinent to evaluating the effects of the proposed action on the Indiana bat.

#### Alternatives in the Draft EIS

The draft EIS contains an analysis of four alternatives: (1) No Action (no permit issuance); (2) Proposed Action—Modified Operations Alternative, including implementation of the HCP and Issuance of a 30-year ITP; (3) Maximally Restricted Operations Alternative, without an HCP or ITP; and (4) Minimally Restricted Operations Alternative and Issuance of a 30-year ITP. The draft EIS considers the direct, indirect, and cumulative effects of the alternatives, including any measures under the Proposed Action alternative intended to minimize and mitigate such impacts. The draft EIS also identifies additional alternatives that were considered but were eliminated from consideration as detailed in Section 2.3 of the EIS.

The Service invites comments and suggestions from all interested parties on the content of the draft EIS. In particular, information and comments regarding the following topics are requested:

1. The direct, indirect, or cumulative effects that implementation of any alternative could have on the human environment;
2. Whether or not the significance of the impact on various aspects of the human environment has been adequately analyzed; and
3. Any other information pertinent to evaluating the effects of the proposed action on the human environment.

#### Public Comments

You may submit your comments and materials concerning the notice by one of the methods listed in **ADDRESSES**. We request that you send comments only by one of the methods described in **ADDRESSES**.

If you submit a comment via <http://www.regulations.gov>, your entire comment—including any personal identifying information—will be posted on the Web site. We will post all hardcopy comments on <http://www.regulations.gov> as well. If you submit a hardcopy comment that includes personal identifying information, you may request at the top of your document that we withhold this information from public review.

However, we cannot guarantee that we will be able to do so.

Comments and materials we receive, as well as documents associated with the notice, will be available for public inspection on <http://www.regulations.gov> at Docket No. FWS-R3-ES-2012-0036, or by appointment, during normal business hours, at the Ohio Ecological Services Field Office in Columbus, Ohio (see **FOR FURTHER INFORMATION CONTACT**).

#### Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22), and NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6; 43 CFR part 46).

Dated: June 21, 2012.

**Lynn Lewis,**

*Assistant Regional Director, Ecological Services, Midwest Region.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Final Environmental Impact Statement for the Menominee Indian Tribe of Wisconsin's Proposed Fee-to-Trust Transfer and Casino-Hotel Project in the City of Kenosha, Kenosha County, WI

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Availability.

**SUMMARY:** This notice advises the public that the Bureau of Indian Affairs (BIA) as the lead Federal agency, with the Menominee Indian Tribe of Wisconsin (Tribe), the National Indian Gaming Commission (NIGC), the City of Kenosha, and Kenosha County, as cooperating agencies, has prepared a Final Environmental Impact Statement (FEIS) for the proposed approval of a 223-acre fee-to-trust transfer and the construction of a casino-hotel complex. This notice also announces the FEIS is now available for public review. Hard copies are available upon request or may be found at the addresses indicated in the **SUPPLEMENTARY INFORMATION** section below.

**DATES:** The Record of Decision on the proposed action will be issued no sooner than 30 days after the release of the FEIS. Thus, any comments on the FEIS must arrive at the addresses indicated below by July 30, 2012.

**ADDRESSES:** You may request a copy of the FEIS, by contacting Scott Doig, Regional Environmental Protection Specialist, Midwest Region, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, Minnesota 55437, telephone (612) 725-4514, fax (612) 713-4401.

**FOR FURTHER INFORMATION CONTACT:** Scott Doig, Regional Environmental Protection Specialist, Midwest Region, Bureau of Indian Affairs, 5600 West American Boulevard, Suite 500, Bloomington, Minnesota 55437, telephone (612) 725-4514, fax (612) 713-4401.

**SUPPLEMENTARY INFORMATION:** The Tribe has asked the BIA to take 223 acres of land into trust on behalf of the Tribe, on which the Tribe proposes to develop a casino-hotel complex. The proposed project is located at the site of the existing Dairyland Greyhound Park, at 5522-104th Ave., Kenosha, Wisconsin 53144. The property is approximately one half mile east of Interstate 94, and approximately 35 miles south of Milwaukee, Wisconsin. The BIA serves as lead agency for compliance with the National Environmental Policy Act. The Tribe, the NIGC, the City of Kenosha, and Kenosha County, as entities having jurisdiction and special expertise relevant to potentially affected resources, are acting as cooperating agencies.

The project design includes taking the 223-acre Dairyland Greyhound Park property into trust for the Tribe, and the development of a casino-hotel complex, while potentially retaining the current greyhound racetrack, structure, concourse and kennel facilities. Future development includes a water park, a second hotel, and a recreational vehicle park. Interim Class III gaming would be conducted inside the existing clubhouse until the new casino is built. The FEIS considers a range of project alternatives, including: (1) Preferred casino-hotel complex; (2) reduced intensity; (3) off-site expansion of existing Keshena facilities; (4) hotel-conference center/recreational development; and (5) no action. Environmental issues addressed in the FEIS include land and water resources, air quality, biological resources, cultural and paleontological resources, socioeconomic conditions, transportation and circulation, land use, public services, noise, hazardous materials, visual resources, environmental justice, cumulative effects, indirect effects and mitigation.

The BIA has afforded other government agencies and the public opportunity to participate in the preparation of this FEIS. The BIA

published a Notice of Intent to prepare a Draft Environmental Impact Statement (DEIS) for the proposed action in the **Federal Register** on June 23, 2004 (69 FR 35058), with a correction published on July 7, 2004 (69 FR 40966). The BIA held a public scoping meeting on August 3, 2004, in Kenosha, WI. A Notice of Availability for the DEIS was published in the **Federal Register** on September 23, 2005 (70 FR 55835). The document was available for public comment from September 23, 2005, to November 21, 2005, and a public hearing was held on October 25, 2005, in Pleasant Prairie, WI. An extended comment period for the DEIS was announced in the **Federal Register** on February 3, 2006 (71 FR 5837). The document was available for public comment from February 3, 2006, to March 6, 2006. Applicable information including population and traffic densities were updated in the preliminary FEIS and completed in January 2012.

*Locations where the FEIS is Available for Review:* The FEIS will be available for review at the following branches of the Kenosha Public Library: Simmons, 711 59th Place, Kenosha, WI 53140; Southwest, 7979 38th Avenue, Kenosha, WI 53142; Northside, 1500 27th Avenue, Kenosha, WI 53140; Uptown, 2419 63rd Street, Kenosha, WI 53143. General information for the Kenosha Public Library system can be obtained by calling (262) 564-6100. The FEIS will also be available for review at the Waukegan Public Library, 128 North County Street, Waukegan, IL 60085. General information for the Waukegan Public Library can be obtained by calling (847) 623-2041. An electronic version of the FEIS can be viewed at the following Web site: <http://www.kenoshaeis.com>

*Public Availability of Comments:* Before including your address, phone number, email 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.

**Authority:** This notice is published pursuant to Sec. 1503.1 of the Council of Environmental Quality Regulations (40 CFR part 1500 through 1508) and Sec. 46.305 of the Department of Interior Regulations (43 CFR part 46), implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 et seq.), and is in the exercise of

authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: May 31, 2012.

**Donald E. Laverdure,**  
*Acting Assistant Secretary—Indian Affairs.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NVN-089176 & NVN-091072 LLNVS00560 L51010000.ER0000 LVRWF1103400]

#### Notice of Availability: Record of Decision for KRoad Moapa Solar Facility

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

**ACTION:** Notice of availability.

**SUMMARY:** The Bureau of Land Management (BLM) announces the Notice of Availability (NOA) of the Record of Decision (ROD) for the KRoad Moapa Solar Facility located in Clark County, Nevada. The Secretary of the Interior approved the ROD on June 21, 2012, which constitutes the final decision of the Department of the Interior.

**ADDRESSES:** Copies of the ROD are available upon request from the BLM Southern Nevada District Office, 4701 N. Torrey Pines Drive, Las Vegas, Nevada 89130, or via the Internet at the following Web site: <http://www.blm.gov/nv/st/en/fo/lvfo.html>.

**FOR FURTHER INFORMATION CONTACT:** Gregory Helseth, Renewable Energy Project Manager; telephone: (702) 515-5173; mailing address: BLM Southern Nevada District Office, 4701 N. Torrey Pines Drive, Las Vegas, Nevada 89130; or email: [Gregory\\_Helseth@blm.gov](mailto:Gregory_Helseth@blm.gov).

**SUPPLEMENTARY INFORMATION:** The applicant, KRoad Moapa Solar, LLC, (KRoad) filed two right-of-way (ROW) applications to construct a 500 kV transmission line, NVN-89176, as well as an access road, NVN-91072, on BLM administered lands as ancillary facilities for a 350 megawatt (MW) solar generation facility on the Moapa River Indian Reservation (Reservation). The BLM was a cooperating agency with the Bureau of Indian Affairs (BIA) on the KRoad Moapa Solar Facility. The purpose of the project is to provide access to the transmission grid via the Crystal Substation; to supply power to the Moapa Travel Plaza and a water line to the solar energy facility.

The BLM's purpose and need for the proposed Federal action responds to KRoad's application for an up to 500 kV