

1. The Secretary is authorized and directed by Section 206(a) of the Act to acquire water and water rights to sustain, on a long-term average, 25,000 acres of primary wetland habitat in Lahontan Valley. The U.S. Fish and Wildlife Service (FWS) is preparing a wetlands management plan detailing actions necessary to best manage water being acquired to sustain 25,000 acres of wetland habitat, including the timing of water applications to wetlands, and the volumes of acquired water to be applied.

2. Section 207(a) directs the Secretary to expeditiously implement plans for the conservation and recovery of endangered cui-ui, a fish species found only in Pyramid Lake and the lower Truckee River. Section 207(c)(1) authorizes the Secretary to acquire water and water rights to assist the conservation and recovery of the species. General recovery actions are authorized under the Endangered Species Act. The recovery objective stated in the Cui-ui Recovery Plan, completed by the Fish and Wildlife Service in 1992, is to improve the status of cui-ui so that the species has at least a 0.95 probability of persisting for 200 years. This objective necessitates securing spawning habitat in the lower Truckee River and rearing habitat in Pyramid Lake as well as an avenue of passage for spawners and larvae.

3. The Secretary is considering modifications to the Newlands Irrigation Project Operating Criteria and Procedures (OCAP). The OCAP were most recently modified in 1988 and in the intervening years, several factors which affect water management in the Project have changed. For example, the number of water-righted, irrigated acres in the Project has not expanded to meet predicted levels. Also, formulas used to calculate allowable diversions of Truckee River water to the Project need to be revised to reflect current and expected conditions within the Project. Short-term OCAP adjustments within the framework of the existing criteria and procedures are currently in preparation to account for changes in water demand assumptions and operational experience gained since 1988. The Department of the Interior will examine more fundamental potential revisions to OCAP in order to optimize the use of Project water to meet competing uses and legal responsibilities, including serving agricultural water rights, meeting trust responsibilities to the Pyramid Lake Paiute and Fallon Paiute-Shoshone Tribes, conserving and recovering endangered fish species, restoring and

protecting Lahontan Valley wetlands, and meeting other water demands.

4. In October 1996, the United States signed the Truckee River Water Quality Settlement Agreement with the cities of Reno and Sparks, Washoe County, the State of Nevada, and the Pyramid Lake Paiute Tribe. The agreement resolves litigation over approval and operation of the Reno-Sparks water treatment facility brought by the Pyramid Lake Paiute Tribe against Reno, Sparks, the State of Nevada, and the U.S. Environmental Protection Agency. Under terms of the agreement, the Department of the Interior will allocate \$12 million over five years to acquire Truckee River water rights and dedicate them to a joint program to manage an equal quantity of water rights to be acquired by Reno, Sparks, and Washoe County for the purpose of improving water quality and instream flows in the Truckee River from Reno to Pyramid Lake. In addition, the Department of the Interior agreed to aid Reno, Sparks, and Washoe County in meeting water quality goals by storing acquired water in federal Truckee River reservoirs and timing releases to improve instream flows during normally dry periods of the summer and early fall.

Other Actions To Be Considered

In addition, the EIS will consider an extensive list of proposed and active projects that may have cumulative impacts within the scope of this document. Two actions authorized under P.L. 101-618 are being reviewed in separate EISs. These are: (1) Modification of reservoir and river operations on the Truckee River as described in the Truckee River Operating Agreement draft EIS currently being prepared by the Bureau of Reclamation and the U.S. Fish and Wildlife Service (FWS), and expected to be released in the spring of 1997; and (2) acquisition of water for development of wetlands at the terminus of the Carson River as described in the Lahontan Valley Wetlands Water Rights Acquisition Program final EIS released by the FWS in September 1996.

Additional projects and actions to be considered include the new Operation and Maintenance contract for the Newlands Irrigation Project; possible agreement between the Department of the Interior and the Fallon Paiute-Shoshone Tribe regarding water and water-rights management, acquisition, and protection; efforts of the Fish and Wildlife Service to acquire water from the Upper Carson River; implementation of the agreement with the Department of the Navy to conserve and transfer water from the Fallon Naval Air Station to the

Fish and Wildlife Service; and possible water storage agreements for Lahontan Reservoir. The EIS proposed in this Notice will, as part of its analysis, consolidate and review the effects of these and other water management actions identified during the scoping process.

This notice is being published, and the environmental review of this project will be completed, in accordance with Council on Environmental Quality Regulations for Implementing the National Environmental Policy Act (40 CFR 1508.22).

Tentative Schedule

Estimated dates for completion of activities for an environmental impact statement evaluating the potential impacts of water resources management in the Truckee and Carson Rivers program are:

Milestone	Date
Public Scoping Period	April 1997.
Identification of Alternatives.	May 1997.
Draft EIS Published ..	December 1997.
Public Hearings on DEIS.	January 1998.
Final EIS filed with EPA.	June 1998.
Implementation of Decisions.	August 1998.

Dated: March 7, 1997.

Patricia J. Beneke,

Assistant Secretary—Water and Science.

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Exxon Valdez Oil Spill Trustee Council; Restoration of Resources and Services Injured by Oil Spill; (FY 1998) Proposals Request

AGENCY: Department of the Interior, Office of the Secretary.

ACTION: Invitation for proposals.

SUMMARY: The Exxon Valdez Oil Spill Trustee Council is asking the public, private organizations, and government agencies to submit proposals for the restoration of the Exxon Valdez oil spill region. The Invitations to Submit Restoration Proposals for Federal Fiscal Year 1998, a booklet explaining the process, is available from the Trustee Council office.

DATES: Proposals are due April 15, 1997, at 5:00 p.m.

ADDRESSES: Exxon Valdez Oil Spill Trustee Council, 645 "G" Street, Suite 401, Anchorage, Alaska 99501.

FOR FURTHER INFORMATION CONTACT: The Restoration Office, (907) 278-8012 or

toll free at (800) 478-7745 (in Alaska) or (800) 283-7745 (outside Alaska).

SUPPLEMENTARY INFORMATION: Following the Exxon Valdez oil spill in March 1989, a Trustee Council of three state and three federal trustees, including the Secretary of the Interior, was formed. The Trustee Council prepared a restoration plan for the injured resources and services within the oil spill area. The restoration plan calls for annual work plans identifying projects to accomplish restoration. Each year proposals for restoration projects are solicited from a variety of organizations, including the public.

Dated: March 7, 1997.

Willie R. Taylor,

Director, Office of Environmental Policy and Compliance.

[FR Doc. 97-6530 Filed 3-13-97; 8:45 am]

BILLING CODE 4310-RG-P

Fish and Wildlife Service

Preparation of an Environmental Impact Statement on a Permit Application to Incidentally Take Threatened and Endangered Species in Association With the San Joaquin County Multiple Species Conservation Plan in San Joaquin County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: This notice advises the public that the U.S. Fish and Wildlife Service (Service) and the County of San Joaquin, California, intend to prepare a joint Federal Environmental Impact Statement/State Environmental Impact Report (Statement/Report), pursuant to the National Environmental Policy Act and California Environmental Quality Act. The Service intends to proceed with preparation of the joint Statement/Report in response to an anticipated application by San Joaquin County to obtain a 30-year permit under the Federal Endangered Species Act that would authorize incidental take of up to approximately 100 species of plants and animals. The anticipated application would be accompanied by a Habitat Conservation Plan. This notice describes the proposed action and alternatives, and the history of the scoping process.

DATES: Written comments will be accepted by the Service at the address below until April 14, 1997.

ADDRESSES: Information and comments related to preparation of the joint Statement/Report should be submitted to Mr. Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, 3310 El

Camino Avenue, Suite 120, Sacramento, California 95821. Written comments also may be sent by facsimile to (916) 979-2723.

FOR FURTHER INFORMATION CONTACT: Mr. Peter Cross, Division of Endangered Species, at the above Sacramento address, telephone (916) 979-2725.

SUPPLEMENTARY INFORMATION:

Availability of Documents

Background material will be available for public inspection, by appointment, during normal business hours (7:30 a.m. to 4:30 p.m., Monday through Friday) at the above Service address.

History of the Scoping Process

The public scoping process for the Statement/Report was formally initiated with the publication by San Joaquin County of a Notice of Public Hearing Scoping Meetings and Notice of Preparation/Notice of Intent for the Preparation of a Joint Environmental Impact Report/Environmental Impact Statement for the San Joaquin County Multi-species Habitat Conservation and Open Space Plan in *The Record* (the largest distribution newspaper in San Joaquin County) on January 22, 1997. This Notice also was sent to 271 organizations, agencies, native American tribes and other interested public within San Joaquin County and adjacent cities and counties. On February 6, 1997, the Service attended a public scoping meeting held in the city of Stockton, California, pursuant to the January 22 notice. During this meeting, concern was raised regarding the potential impact of linear projects that could create significant dispersal barriers to certain species that will be addressed in the Habitat Conservation Plan (e.g., water delivery canals). The Service intends to use the information collected at the February 6 scoping meeting and a second scoping meeting held on March 5, 1997, in Lodi, California, as well as other information and comments received in development of the joint Statement/Report.

Proposed Action

San Joaquin County intends to submit an application to the Service for a 30-year incidental take permit under Section 10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended (Act). The application would include a Multi-Species Habitat Conservation and Open Space Plan (Plan) that would serve as a Habitat Conservation Plan as defined by Section 10(a)(1)(B) of the Act.

The Service anticipates that San Joaquin County would seek a permit

authorizing incidental take, now or in the future, of up to approximately 100 species, to the extent that take is prohibited under Section 9 of the Act for each of these species. The anticipated permit application would include 12 listed species: the endangered San Joaquin kit fox (*Vulpes macrotis mutica*), Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardii*), large-flowered fiddleneck (*Amsinckia grandiflora*), and palmate-bracted bird's-beak (*Cordylanthus palmatus*), and the threatened California red-legged frog (*Rana aurora draytonii*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), delta smelt (*Hypomesus transpacificus*), giant garter snake (*Thamnophis gigas*), and Aleutian Canada goose (*Branta canadensis leucopareia*). In addition, the anticipated application likely would seek assurances for future incidental take, should it become necessary, of 83 currently unlisted species. These unlisted species include 4 species proposed for listing: the Sacramento splittail (*Pogonichthys macrolepidotus*), succulent owl's clover (fleshy owl's clover) (*Castilleja campestris ssp. succulenta*) and Colusa grass (*Neostapfia colusana*), currently proposed for threatened status, and Greene's tuctoria (*Tuctoria greenei*), currently proposed for endangered status. Should an unlisted species covered by the Plan be listed in the future, take authorization would become effective upon listing under the Act.

The anticipated Plan would encompass all of San Joaquin County: approximately 1,400 square miles (900,000 acres), including 43 percent of the Sacramento-San Joaquin Delta. The Plan, however, would only be applicable to the area covered by those jurisdictions choosing to adopt the Plan. The anticipated Plan would allow conversion of up to 104,299 acres of land to non-open space uses while providing compensation for approximately 100 plant and animal species and 52 vegetative communities, including the conversion of vernal pools to such uses pursuant to the Federal Clean Water Act.

The anticipated Plan would have multiple purposes, all of which address the conversion of open space (for wildlife, agricultural, recreational, educational, flood control and other uses) to non-open space uses. The anticipated Plan would allow new development to proceed with predetermined, standardized mitigation