

State, local or tribal law or requirement imposed for the protection of the environment.

5. Approval of the HCP would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service has therefore determined that approval of the HCP qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). No further NEPA determination will therefore be prepared.

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, an ITP will be issued for the incidental take of hatchlings from two nests of the leatherback sea turtle or hawksbill sea turtle during a period of 12 years. The Service will also evaluate whether the issuance of a section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of the consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

Dated: May 22, 2000.

H. Dale Hall,

Acting Regional Director.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Conduct Public Scoping and Prepare an Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: In accordance with the National Environmental Policy Act of 1969 (NEPA), this notice advises other agencies and the public that the Fish and Wildlife Service (Service) intends to prepare an Environmental Impact Statement (EIS) related to the proposed issuance of an Incidental Take Permit (Permit) to the Foster Creek Conservation District (District) in Douglas County, Washington for take of endangered and threatened species, pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). As required by the Act,

the District is preparing a Habitat Conservation Plan (Plan). The Plan is being developed to address agricultural practices throughout Douglas County, and may include management activities on dryland crop farms, livestock ranches, and irrigated orchards. With issuance of the Permit, participating landowners would receive regulatory certainty with regard to the requirements of the Act by implementing the measures prescribed in the Plan.

The Service is furnishing this notice in order to advise other agencies and the public of our intentions and to announce the initiation of a minimum 30-day public scoping period. During the scoping period, other agencies and the public are invited to provide written comments on the scope of issues to be included in the EIS, which is expected to be available for public review and comment during the second quarter of 2001. Interested parties are encouraged to attend the scoping workshops or to provide written comments on the scope of the issues and range of alternatives for the draft EIS.

DATES: Written comments regarding the scope of the issues and range of alternatives for the draft EIS should be received on or before July 14, 2000. Scoping workshops will be held on June 29, 2000 (see **ADDRESSES** for times and location).

ADDRESSES: Comments and requests for additional information should be submitted to Chris Warren, Fish and Wildlife Service, 11103 East Montgomery Drive, Spokane, Washington, 99206, or call (509) 891-6839.

Scoping workshops will be held at the North-central Washington, Fairground, 601 North Monroe Street, Waterville, Washington, 98858. The workshops will be held from 3 p.m. to 5 p.m. and from 6 p.m. to 8 p.m. on June 29, 2000.

SUPPLEMENTARY INFORMATION: Conservation districts are legal subdivisions of the Washington State government, with powers and duties set forth in accordance with the Revised Code of Washington (RCW 89.08). Among other things, conservation districts are authorized to develop comprehensive long-range programs for the conservation of natural resources within their boundaries, to enter into agreements with other State and Federal agencies and the districts' landowners, and to administer the programs of other State and Federal agencies concerned with the conservation of natural resources. Based upon this authority, the Service anticipates the development of a programmatic Plan by the District.

Upon completion and approval of detailed, site-specific farm plans that implement the terms of the programmatic Plan, individual landowners will receive permit coverage under section 10(a)(1)(B) of the Act through Certificates of Inclusion.

Douglas County is located in central Washington and encompasses over one million acres of land. It is anticipated that the activities covered under the Permit will include operation and management of dryland crop farms, livestock ranches (each comprising roughly 48 percent of the country's total agricultural land base), and fruit orchards (comprising roughly 4 percent). Grazing activities that may be addressed include, among others, stocking types and rates, timing, use levels, and management of livestock facilities (fencing, holding areas, transportation, etc.). Farming activities that may be included are, among others, planting types and techniques, crop rotation, timing, weed and pest control, management of facilities, and irrigation activities. It is also anticipated that the measures of proposed Plan and Permit coverage will be coordinated with existing Federal and State programs for private landowners in Douglas County (Conservation Reserve Program, other Farm Bill programs, private lands initiatives, etc.). The District tentatively proposes that the Plan and Permit be in effect for 50 years.

Agricultural activities on private lands and the management activities of the District, along with those of other State and Federal agencies in Douglas County, have the potential to impact species subject to protection under the Act, as well as other unlisted species of concern to the Service. Section 10 of the Act contains provisions for the issuance of Permits to non-Federal landowners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. To receive section 10 coverage under the act, applicants must prepare and submit to the Service for approval a Plan containing a strategy for minimizing and mitigating to the maximum extent practicable all take associated with the proposed activities. Applicants must also demonstrate that adequate funding will be provided to ensure the Plan will be implemented and monitored throughout its proposed life span. The mandatory elements of Plan and the criteria for issuance of Permits are contained in the Code of Federal Regulations (50 CFR 17.22, 17.32, and 22.22).

Section 9 of the Act and Federal regulations prohibit the "taking" of any species listed as endangered or threatened. The term "take" is defined under the Act to mean harass, harm, pursue, hunt, shoot, would, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Harm is defined to include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering.

The species currently listed under the Act that are being proposed for coverage under the Permit include the Columbia River Basin population of the bull trout (*Salvelinus confluentus*) and the coterminous United States population of the bald eagle (*Haliaeetus leucocephalus*), both currently listed as threatened. The District also plan to address a number of unlisted fish and wildlife species in the Plan, such as the western sage grouse (*Centrocercus urophasianus phaios*), Colombian sharp-tailed grouse (*Tympanuchus phasianellus columbianus*), and the pygmy rabbit (*Brachylagus idahoensis*), among other. Should any of the unlisted species addressed in the Plan be listed under the Act in the future, participating landowners would receive incidental take coverage for them under the specific provisions of the Permit. The District also plans to seek separate Permit coverage for several species listed under the Act that fall within the purview of the Secretary of Commerce, as administered by the National Marine Fisheries Service, including the upper Columbia River Basin populations of spring chinook salmon (*Oncorhynchus tshawytscha*) and steelhead (*O. mykiss*), both listed as endangered, and the middle Columbia River population of steelhead, listed as threatened.

Under NEPA, reasonable alternatives to a proposed project must be developed and considered in the Service's environmental review. At a minimum, the alternatives developed must include: (1) A No Action alternative, which describes current management and resource conditions and potential future impacts incurred under this scenario; and (2) the Proposed Action, with thorough descriptions of its management features and anticipated resource conservation benefits and potential impacts. For the present environmental review, the No Action alternative will reflect the baseline conditions in Douglas County under current agricultural management practices. The Proposed action alternative will be represented by the District's Plan and its associated

management measures. Additional project alternatives may be developed based upon input received from this and future scoping notices during development of the EIS.

Comments and suggestions are invited from all interested parties to ensure that the full range of issues related to these proposed actions are addressed and that all significant issues are identified. The Service requests that comments be as specific as possible. Comments are specifically requested to include information regarding: the direct, indirect, and cumulative impacts that implementation of the proposal could have on endangered and threatened species and their habitats; other possible alternatives; potential adaptive management and/or monitoring provisions; funding issues; baseline environmental conditions in Douglas County; other plans or projects that might be relevant to this project; and minimization and mitigation efforts. In addition to considering impacts on listed species and their habitats, the EIS must include information on impacts resulting from the alternatives on other components of the human environment. These other components include such things as air quality, water quality and quantity, geology and soils, cultural resources, other fish and wildlife species, social resources, and economic resources.

The environmental review for this project will be conducted in accordance with the requirements of NEPA (42 U.S.C. 4321 *et seq.*), Federal regulations implementing NEPA (40 CFR 1500-1508), other appropriate Federal laws and regulations, and the policies and procedures of the Service for compliance with those regulations.

Dated: May 22, 2000.

Carolyn A. Bohan,

Acting Regional Director, Region 1, Fish and Wildlife Service, Portland, Oregon.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-660-00-1990-00; CACA20139 and CACA22901]

Transit Mixed Concrete Company Proposed Sand and Gravel Mining Operation, Soledad Canyon, Los Angeles County, CA

AGENCY: Bureau of Land Management, Department of the Interior, Palm Springs-South Coast Field Office, California Desert District.

ACTION: Notice of availability of Final Environmental Impact Statement.

SUMMARY: In compliance with the National Environmental Policy Act (NEPA) of 1969 and 40 CFR 1503.4, notice is hereby given that the Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (EIS) for the Transit Mixed Concrete (TMC) Company Sand and Gravel Mining Project proposed for construction and operation off of Soledad Canyon Road and State Highway 14, in an unincorporated area of Los Angeles County, California.

Interested citizens are invited to review the Final EIS. Hard copies of the Final EIS may be obtained by telephoning or writing the contact persons listed below. The Technical Appendices and Volumes 1 through 6 are also available on CD-ROM. The CD-ROM is in Adobe Acrobat Reader format, and contains a free download of Acrobat Reader so it can be opened easily. Public reading copies are available at the following County of Los Angeles public libraries: Canyon Country Library (18536 Soledad Canyon Road, Santa Clarita); Newhall Library (22704 W. Ninth Street, Santa Clarita); and the Valencia Library (23743 W. Valencia Boulevard, Santa Clarita).

DATES: BLM will be rendering a decision on the proposed Project no sooner than July 3, 2000.

FOR ADDITIONAL INFORMATION CONTACT: Ms. Elena Misquez, BLM, Palm Springs-South Coast Field Office at (760) 251-4810. To obtain copies of the Final EIS, contact Ms. Linda Brody of Chambers Group Inc. at (949) 261-5414. Fax requests can be sent to the attention of Ms. Linda Brody at (949) 261-8950. Please specify either CD-ROM or the specific volume(s) desired (see Supplemental Information below). Please include name, complete mailing address (no P.O. Boxes), and phone number on all requests.

SUPPLEMENTARY INFORMATION: The Bureau of Land Management (BLM) has prepared a Final EIS for the Transit Mixed Concrete (TMC) Company Sand and Gravel Mining Project. The Project is proposed for construction and operation in an unincorporated area within Los Angeles County, north of Soledad Canyon Road, south of the Antelope Valley Freeway (State Highway 14), and west of Agua Dulce Canyon. TMC proposes to mine a total of 83 million tons of sand and gravel over a 20-year period. The Project site is located on "split-estate" lands where the surface is privately owned and the minerals are federally owned and