

impacts unknown. Thus, we will identify mitigation for any project-specific impacts during detailed project planning and design. We prepared a biological assessment to address any impacts to federally-listed threatened or endangered species. The biological assessment concluded that implementation of Alternative E is not likely to appreciably reduce the survival and recovery of listed species. We also prepared compatibility determinations for all uses identified in Alternative E, and these determinations contain stipulations to avoid, minimize, or mitigate any environmental impacts from these uses and associated facilities. The Refuge Manager and District Managers will be responsible for ensuring that monitoring and stipulations identified in the CCP are completed or followed.

Dated: September 13, 2006.

Robyn Thorson,

Regional Director, U.S. Fish and Wildlife Service, Fort Snelling, Minnesota.

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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 Regarding the Coyote Springs Investments Multiple Species Habitat Conservation Plan, Lincoln County, NV

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent; reopening of public comment period.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA) (42 U.S.C. 4321, *et seq.*), the Fish and Wildlife Service (Service) as the lead agency, advises the public that we intend to gather information necessary to prepare an Environmental Impact Statement (EIS) regarding the proposed Coyote Springs Investment LLC (Applicant) Multiple Species Habitat Conservation Plan (MSHCP) and issuance of an incidental take permit (Permit) for endangered and threatened species in accordance with section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant proposes to develop a planned community in southern Lincoln County and implement conservation features (Project). The Applicant intends to request a Permit for incidental take of federally-listed threatened or endangered species,

including desert tortoise (*Gopherus agassizii*) as well as Evaluation List species. Evaluation List species include species that have been petitioned for listing; State-listed species; species that have been nominated for inclusion by technical specialists; and other species of concern that co-occur with federally listed species. The Service plans to refine the species list as a part of the scoping process. In accordance with the Act, the Applicant will prepare a MSHCP containing proposed measures to minimize and mitigate incidental take that could result from the Project.

The Service provides this notice to: (1) Announce the opening of an additional 30-day public scoping period; (2) correct inaccurate contact information provided in the previous notice (71 FR 530704, September 12, 2006); (3) describe the proposed action and possible alternatives; (4) advise other Federal and State agencies, affected tribes, and the public of our intent to prepare an EIS; (5) obtain suggestions and information on the scope of issues to be included in the EIS. The proposed action is approval of the MSHCP and issuance of the Permit.

DATES: Written comments from all interested parties must be received on or before December 4, 2006.

ADDRESSES: Comments and requests for information related to the preparation of the EIS should be sent to Robert D. Williams, Field Supervisor, Fish and Wildlife Service, Nevada Fish and Wildlife Office, 1340 Financial Boulevard, Suite 234, Reno, Nevada 89502; or fax 775-861-6301.

Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jeannie Stafford, Public Affairs Specialist, Nevada Fish and Wildlife Office, at 775-861-6300.

SUPPLEMENTARY INFORMATION: A Notice of Intent to prepare an EIS was published in the **Federal Register** for this project on December 4, 2001 (66 FR 63065). A second notice was published on September 12, 2006 (71 FR 53704) because the amount of land included in the proposed MSHCP was modified. The MSHCP described in the 2001 notice included privately-owned, developable lands, and leased land in Lincoln County and Clark County, Nevada. The proposed MSHCP described in this, and the September 12, 2006, notice include private, developable lands in Lincoln County only, and leased lands in both Lincoln and Clark Counties. This notice is being published to allow for an additional 30-

day comment period and to correct inaccurate contact information provided in the September 12, 2006 notice. In that notice, an invalid e-mail address was provided as a way to submit comments. For the purposes of this reopening of the scoping period, please submit comments in writing to the contact identified in the **ADDRESSES** section.

The Applicant has initiated discussions with the Service regarding preparation of an MSHCP and issuance of a Permit for their activities, which include residential and commercial development, construction, and maintenance. The Applicant has also initiated discussions with the Bureau of Land Management (BLM) regarding land leases, and with the U.S. Army Corps of Engineers regarding project wetland permitting. Land leased and owned by the Applicant occupies most of the eastern portion of Coyote Springs Valley straddling the Pahranaagat Wash and the Kane Springs Wash in Lincoln County. It consists of approximately 13,800 acres of land leased from the BLM in Lincoln and Clark Counties, and approximately 22,140 acres of developable private land in Lincoln County. The area is bordered by the Delamar Mountains to the north, the Meadow Valley Mountains to the east, and U.S. 93 to the west. The development area extends approximately 9 miles (14.48 kilometers) north of the Lincoln County/Clark County line. Leased land is bordered by SR 168 to the south in Clark County. Accordingly, BLM will be a cooperating agency for the environmental review. These lands are located in portions of Townships 11, 12, and 13 South and Ranges 63 and 64 East. The surrounding land is primarily owned and managed by the BLM and the Service. South of the development area, the Applicant's lands are being developed in Clark County and are not covered under this MSHCP.

Some of the Applicant's future activities have the potential to impact species subject to protection under the Act. Section 9 of the Act (16 U.S.C. 1538) and Federal regulations prohibit the "take" of a fish or wildlife species listed as endangered or threatened. Under the Act, the following activities are defined as take: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or to attempt to engage in such conduct (16 U.S.C. 1532). However, under section 10(a) of the Act, we may issue permits to authorize "incidental take" of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing permits

for threatened species and endangered species are at 50 CFR 17.32 and 50 CFR 17.22, respectively. An applicant for a Permit under section 10 must prepare and submit to the Service for approval a Plan containing a multifaceted strategy for minimizing and mitigating all take associated with the proposed activities to the maximum extent practicable. The applicant must also ensure that adequate funding for the Plan will be provided.

The Service will conduct an environmental review of the MSHCP and prepare an EIS. ENTRIX has been selected as the lead consultant to prepare the EIS under the supervision of the Service, which will be responsible for the scope and content of the NEPA document. NEPA requires that Federal agencies conduct an environmental analysis of their proposed actions to determine if the actions may significantly affect the human environment. Under NEPA, a reasonable range of alternatives to proposed projects is developed and considered in the environmental review. Alternatives considered for analysis in an EIS may include: variations in the scope of proposed activities; variations in the location, amount, and types of conservation measures; variations in activity duration; or, a combination of these elements. In addition, the EIS will identify potentially significant direct, indirect, and cumulative impacts on biological resources, land use, air quality, water quality, water resources, socioeconomic conditions, and other environmental issues that could occur with implementation of the proposed action and alternatives. For all potentially significant impacts, the EIS identifies avoidance, minimization, and mitigation measures to reduce these impacts, where feasible, to a level below significance.

The EIS will consider the proposed action, no action, and a reasonable range of alternatives. A detailed description of the impacts of the proposed action and each alternative will be included in the EIS. The alternatives to be considered for analysis in the EIS may address combinations of covered species, different permit effective periods, or a combination of elements.

Written comments from interested parties are welcome to ensure that the issues of public concern related to the proposed action are identified. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the office listed in the **ADDRESSES** section of this notice. Our practice is to make comments, including names, home addresses, home phone

numbers, and email addresses of respondents, available for public review. Individual respondents may request that we withhold their names and /or homes addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organization or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

The Service requests that comments be specific. In particular, the Service is requesting information regarding (1) potential direct, indirect, and cumulative impacts of implementation of the proposed action; (2) other possible alternatives that meet the purpose and need; (3) potential adaptive management and/or monitoring provisions; (4) existing environmental conditions in the area; (5) other plans or projects that might be relevant to this proposed project; and (6) potential minimization and mitigation efforts.

The environmental review of this project will be conducted in accordance with the requirements of the NEPA of 1969 as amended (42 U.S.C. 4321 *et seq.*), Council on the Environmental Quality Regulations (40 CFR parts 1500–1518), other applicable Federal laws and regulations, and applicable policies and procedures of the Service. This notice is being furnished in accordance with 40 CFR 1501.7 to obtain suggestions and information from other agencies and the public on the scope of issues and alternatives to be addressed in the EIS. It is estimated that the draft EIS will be available for public review during the first quarter of 2007.

Dated: October 27, 2006.

Ken McDermond,

Deputy Manager, California/Nevada Operations Office, Sacramento, California.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–020–2110–IW–F202]

Notice to the Public of Temporary Public Lands Closures and Prohibitions of Certain Activities on Public Lands Administered by the Bureau of Land Management, Winnemucca Field Office, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of temporary closure.

SUMMARY: Notice is hereby given that certain lands located in northwestern Nevada are temporarily closed or restricted and certain activities are temporarily prohibited in and around an area near the city of Winnemucca known as Water Canyon and administered by the BLM Winnemucca Field Office in Humboldt County, Nevada.

DATES: September 1, 2006 through December 31, 2006, inclusive.

FOR FURTHER INFORMATION CONTACT: Dave Hays, Assistant Field Manager, Nonrenewable Resources, Winnemucca Field Office, Bureau of Land Management, 5100 E. Winnemucca Blvd., Winnemucca, NV 89445–2921, telephone: (775) 623–1500.

SUPPLEMENTARY INFORMATION: The specified closures, restrictions, and prohibitions are made in the interest of public and employee safety during the period of heavy construction equipment usage at and around the public lands in an area known as Water Canyon Recreation Area, Zone 1. The temporary closure is needed during the construction phase of the implementation of the “Water Canyon Implementation Plan Amendment” (Decision Record was signed 11/16/05). These lands are closed or restricted during the following times:

- September 1, 2006, through December 31, 2006 inclusive: Restricted entry by the public into Zone 1 of the Water Canyon Recreation Area during certain time periods as outlined in the sections below, to provide for safety of individuals.

Authority: 43 CFR 8364.1.

1. Public Closure Area: Within the following legally described locations:

Mount Diablo Meridian

T. 35 N., R. 38 E.,

Section 02, S $\frac{1}{2}$ SW $\frac{1}{4}$ portion inside barbed wire fence;

Section 11; NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ portion inside barbed wire fence;