

agreement, resulting in the preparation of a Revised Draft EIS/EIR released in August 2004. The Final EIS/EIR contains responses to comments received on the Revised Draft EIS/EIR.

#### Current Activities

Following agreement to the Negotiated TROA in February 2007 by the negotiators, a Final EIS/EIR was completed. The Negotiated TROA is available as an appendix to the Final EIS/EIR or viewed at <http://www.usbr.gov/mp/troa/>. The Final EIS/EIR considers current conditions as well as three alternatives: (1) No Action Alternative (current reservoir management in the future, without TROA); (2) Local Water Supply Alternative (current reservoir management in the future with modified water sources, without TROA); and (3) TROA (changed reservoir management in the future). Section 205 of the Settlement Act also requires that TROA, once approved, be issued as a Federal Regulation. A draft regulation is being prepared for publication in the **Federal Register** at a later date. The Secretary cannot sign TROA until a ROD has been completed. The State of California cannot sign TROA until it has considered and certified a Final EIS/EIR. These and other steps, including approval by the *Orr Ditch* and *Truckee River General Electric* courts, must be completed before TROA may be implemented.

#### Description of Alternatives

The TROA Alternative is identified in the Final EIS/EIR as the preferred and environmentally superior alternative.

**No Action Alternative (No Action).** Under No Action, Truckee River reservoir operations would remain unchanged from current operations and would be consistent with existing court decrees, agreements, and regulations that currently govern surface water management (i.e., operating reservoirs in the Truckee River and Lake Tahoe basins and maintaining current minimum instream flows) in the Truckee River basin. TMWA's existing programs for surface water rights acquisition and groundwater pumping for M&I use would continue. Groundwater pumping and water conservation in Truckee Meadows, however, would satisfy a greater proportion of projected future M&I demand than under current conditions. Groundwater pumping in California would also increase to satisfy a greater projected future M&I demand.

**Local Water Supply Alternative (LWSA).** All elements of Truckee River reservoir operations, river flow

management, Truckee River hydroelectric plant operations, minimum reservoir releases, reservoir spill and precautionary release criteria, and water exportation from the upper Truckee River basin and Lake Tahoe basin under LWSA would be the same as described under No Action. The principal differences between LWSA and No Action would be the source of water used for M&I purposes, extent of water conservation, implementation of a groundwater recharge program in Truckee Meadows, and assumptions regarding governmental decisions concerning approval of new water supply proposals.

**TROA Alternative (TROA).** TROA would modify existing operations of all designated reservoirs to enhance coordination and flexibility while ensuring that existing water rights are served and flood control and dam safety requirements are met. TROA would incorporate, modify, or replace various provisions of the Truckee River Agreement (TRA) and the Tahoe-Prosser Exchange Agreement (TPEA). As negotiated, TROA would supersede all requirements of any agreements concerning the operation of all reservoirs, including those of TRA and TPEA, and would become the sole operating agreement for all designated reservoirs.

All reservoirs would continue to be operated under TROA for the same purposes as under current operations and with most of the same reservoir storage priorities as under No Action and LWSA. The Settlement Act requires that TROA ensure that water is stored in and released from Truckee River reservoirs to satisfy the exercise of water rights in conformance with the *Orr Ditch* decree and *Truckee River General Electric* decree, except for those rights that are voluntarily relinquished by the parties to the PSA, or by any other persons or entities, or which are transferred pursuant to State law.

The primary difference between TROA and the other alternatives is that TROA would provide opportunities for storing and managing various categories of credit water, not provided for in current operations. Signatories to TROA generally would be allowed to accumulate credit water in storage by retaining or capturing water in a reservoir that would have otherwise been released from storage or passed through the reservoir to serve their respective downstream water right (e.g., retaining Floriston Rate water that would have been released to serve an *Orr Ditch* decree water right). In cases with a change in the place or type of use, such storage could take place only

after a transfer in accordance with applicable State water law. Once accumulated, credit water would be classified by category with a record kept of its storage, exchange, and release. Credit water generally would be retained in storage or exchanged among the reservoirs until needed and released to satisfy its beneficial use. The Interim Storage Agreement (negotiated in accordance with section 205(b)(3) of the Settlement Act) would be terminated and new storage agreements between the Bureau of Reclamation and TROA signatories desiring to store credit water would be required.

In addition to credit water, TROA also establishes criteria for new wells in the Truckee River Basin in California to minimize short-term reduction in stream flow, provides for the implementation of the interstate allocation between California and Nevada, provides for the settlement of litigation, establishes a habitat restoration fund for the Truckee River, and establishes more strict conditions and approval requirements for pumping or siphoning water from Lake Tahoe, among other benefits.

Dated: January 9, 2008.

**Willie R. Taylor,**

*Director, Office of Environmental Policy and Compliance.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-R-2008-N0019; 40136-1265-0000-S3]

#### Logan Cave National Wildlife Refuge

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

**ACTION:** Notice of availability of the Draft Comprehensive Conservation Plan and Environmental Assessment.

**SUMMARY:** The Fish and Wildlife Service announces that the Draft Comprehensive Conservation Plan and Environmental Assessment (Draft CCP/EA) for Logan Cave National Wildlife Refuge in Benton County, Arkansas, is available for review and comment. This document was prepared pursuant to the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, and the National Environmental Policy Act of 1969. The Draft CCP/EA describes the Service's proposal for management of the refuge for 15 years.

**DATES:** Written comments must be received at the address in the **ADDRESSES** section no later than February 25, 2008.

**ADDRESSES:** To provide written comments or to obtain a copy of the Draft CCP/EA, please write to: Ms. Tina Chouinard, Refuge Planner, Hatchie National Wildlife Refuge, 6772 Highway 76 South, Stanton, TN 38069. The Draft CCP/EA is available on compact diskette or hard copy. It also may be accessed and downloaded from the Service's Internet site: <http://southeast.fws.gov/planning>.

**FOR FURTHER INFORMATION CONTACT:** Tina Chouinard; Telephone: 318/305-0643.

**SUPPLEMENTARY INFORMATION:** *Public Availability of Comments:* Before including your address, phone number, e-mail 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.

*Background:* Logan Cave National Wildlife Refuge was established in 1989 under the Endangered Species Act of 1973. This 123-acre Ozark Mountain refuge, which includes a limestone-solution cave, is located 20 miles west of Fayetteville, Arkansas, and approximately 2 miles north of U.S. Highway 412. The ecology of Logan Cave has been described as the highest quality cave habitat in the entire Ozark region. A spring-fed stream, with an average water flow of 5 million gallons/day, extends the entire length of the cave. The primary objectives of the refuge are to properly administer, conserve, and develop the tract for protection of a unique cave ecosystem that provides essential habitat for the endangered gray bat, the endangered Ozark cave crayfish, the threatened Ozark cavefish, and other significant cave-dwelling wildlife species.

The Service developed three alternatives for managing the refuge and chose Alternative 3 as the proposed alternative.

Under Alternative 1, no refuge management or resource protection would occur. Fish and wildlife populations would not be monitored, habitats would not be managed or monitored, no land protection would occur, and no law enforcement activities would be performed. The Service would probably enter into management agreements with the Arkansas State

Game and Fish Commission and/or The Nature Conservancy.

Under Alternative 2, there would be no change from current management of this un-staffed refuge. Under this alternative, 123 acres of refuge lands would be protected and maintained for resident wildlife, migratory non-game birds, and threatened and endangered species. Refuge management programs would continue to be developed and implemented with little baseline biological information. All refuge management activities would be directed toward achieving the refuge's primary purposes, which are to properly administer, conserve, and develop the 123-acre-area for protection of a unique cave ecosystem that provides essential habitat for the endangered gray bat, endangered cave crayfish, the threatened Ozark cavefish, as well as other significant cave-dwelling wildlife species. Active habitat and wildlife management would continue to be limited to protection of the cave entrances and limited access to surface and subsurface habitats. Little to no environmental education and wildlife interpretation would occur. No improvements would be made to the exterior for wildlife observation or wildlife photography. Under this alternative, the refuge would not seek out partnerships with adjacent landowners or with other Federal and State agencies to contribute to the overall natural resource conservation effort in the area.

Under Alternative 3, the proposed alternative, all refuge management actions would be directed toward achieving the refuge's primary purposes, which are to properly administer, conserve, and develop the 123-acre-area for protection of a unique cave ecosystem that provides essential habitat for the endangered gray bat, the endangered cave crayfish, the threatened Ozark cavefish, and other significant cave-dwelling wildlife species, while contributing to other national, regional and State goals to protect and restore karst habitats and species. Wildlife and plant censuses and inventory activities would be initiated and maintained to obtain the biological information needed to continue current refuge management programs and implement crucial management programs on and off the refuge. Active habitat management would be implemented to maintain and enhance water quality and quantity within the cave system, the recharge zone (groundwater recharge areas), and waterways within the bat foraging areas through best management practices, easements, and partnerships with

private landowners and other Federal and State agencies. Continuous groundwater quality monitoring is crucial to the existence of the aquatic species utilizing the cave stream and groundwater corridors.

Wildlife-dependent recreation activities, such as wildlife observation, wildlife photography, and environmental education and interpretation, would be provided. Utilizing various partners, the refuge would develop a small environmental education program, focusing on karst environments. The refuge would develop a community-based volunteer program by establishing a Cave Steward program. Volunteers would be educated on management issues and utilized to help complete wildlife and plant surveys, maintenance projects, and public recreation and education programs.

**Authority:** This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997, Public Law 105-57.

Dated: August 16, 2007.

**Cynthia K. Dohner,**

*Acting Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Rice Lake and Mille Lacs National Wildlife Refuges (NWRs); Aitkin, Pine, and Mille Lacs Counties, MN

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

**ACTION:** Notice of availability; final comprehensive conservation plan and finding of no significant impact for environmental assessment.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the availability of our final Comprehensive Conservation Plan (CCP) and finding of no significant impact (FONSI) for Rice Lake and Mille Lacs NWRs, Minnesota. In this final CCP, we describe how we will manage these refuges for the next 15 years.

**ADDRESSES:** Copies of the Final CCP and FONSI are available on compact disk or hard copy. You may obtain a copy by writing to: U.S. Fish and Wildlife Service, Division of Conservation Planning, Bishop Henry Whipple Federal Building, 1 Federal Drive, Fort Snelling, MN 55111 or you may access and download a copy via the planning Web site at <http://www.fws.gov/midwest/planning/RiceLake>.