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**Helen M. Hankins,**

*Arizona Associate State Director.*

[FR Doc. E9-20052 Filed 8-19-09; 8:45 am]

**BILLING CODE 4310-32-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-060-01-1020-PG]

#### Notice of Public Meeting; Central Montana Resource Advisory Council

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

**ACTION:** Notice of public meeting.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972, the U.S. Department of the Interior, Bureau of Land Management (BLM) Central Montana Resource Advisory Council (RAC) will meet as indicated below.

**DATES:** The meetings will be held September 15 & 16, 2009.

The meetings will be in the Best Western Great Northern Inn (1345 1st Street) in Havre, Montana.

The September 15 meeting will begin at 10 a.m. with a one-hour public comment period and will adjourn at 5 p.m.

The September 16 meeting will begin at 8 a.m. with a 30-minute public comment period and will adjourn at 12:15 p.m.

**SUPPLEMENTARY INFORMATION:** This 15-member council advises the Secretary of the Interior on a variety of management issues associated with public land management in Montana. During these meetings the council will participate in/discuss/act upon:

The bison initiative;

A review of the 2009 RAC work plan;

An oil and gas stakeholder presentation;

An update of the HiLine Resource Management Plan;

Field managers' updates;

A discussion of future RAC projects; and

Administrative details (next meeting agenda, location, etc.)

All RAC meetings are open to the public. The public may present written comments to the RAC. Each formal RAC meeting will also have time allocated for hearing public comments. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited.

**FOR FURTHER INFORMATION CONTACT:** Gary L. "Stan" Benes, Lewistown Field Manager, Lewistown Field Office, P.O. Box 1160, Lewistown, Montana 59457, 406/538-1900.

Dated: August 14, 2009.

**Gary L. "Stan" Benes,**

*Lewistown Field Manager.*

[FR Doc. E9-20002 Filed 8-19-09; 8:45 am]

**BILLING CODE 4310-SS-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2009-N153; 1112-0000-80221-F2]

#### Proposed Low Effect Habitat Conservation Plan for the Pahrump Valley General Store Shopping Center, Nye County, NV

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

**ACTION:** Notice of availability; receipt of application.

**SUMMARY:** We, the Fish and Wildlife Service (Service), have received an application from Pahrump 194, LLC (Applicant) for an incidental take permit (permit), under the Endangered Species Act of 1973, as amended. The requested 7-year permit would authorize the incidental take of the threatened desert tortoise (*Gopherus agassizii*) on 60 acres of habitat associated with the development of a shopping center complex within the town limits of Pahrump, Nevada.

We request comments on the permit application and on whether the proposed Habitat Conservation Plan (HCP) qualifies as a "low-effect" HCP, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended. We explain the basis for this possible determination in a draft Environmental Action Statement (EAS), which is also available for public review.

**DATES:** We must receive comments in writing, no later than 5 p.m. on September 21, 2009.

**ADDRESSES:** Address comments to Robert D. Williams, State Supervisor, by U.S. mail at Fish and Wildlife Service, Nevada Fish and Wildlife Office, 4701 North Torrey Pines Drive, Las Vegas, NV 89130; or by fax at (702) 515-5231 (for further information and instruction on the reviewing and commenting process, see Public Review and Comment section below).

**FOR FURTHER INFORMATION CONTACT:** Jeri Krueger, Habitat Conservation Planning Coordinator, Fish and Wildlife Service

(see **ADDRESSES**), telephone (702) 515-5230.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

Individuals wishing copies of the application, proposed HCP, or EAS should contact us by telephone (see **FOR FURTHER INFORMATION CONTACT**) or by letter (see **ADDRESSES**). Copies of the subject documents are also available for public inspection during regular business hours at the Nevada Fish and Wildlife Office (see **ADDRESSES**).

##### Background

Section 9 of the Endangered Species Act of 1973, as amended (Act; 16 U.S.C. 1531 *et seq.*) and Federal regulations prohibit the "take" of a fish or wildlife species listed as endangered or threatened. Take of federally listed fish or wildlife is defined under section 3 of the Act as including to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in such conduct" (16 U.S.C. 1538). We may, under limited circumstances, issue permits to authorize "incidental take" of listed species. "Incidental take" is defined by the Act 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, respectively, are at 50 CFR 17.32 and 50 CFR 17.22.

The Applicant is seeking a permit with a 7-year term for the incidental take of the desert tortoise. The Applicant proposes to develop and carry out construction activities on 60 acres of land, associated with the development of the shopping center, improvement of adjacent roadways, installation of utility services, and construction of flood control facilities. The shopping center complex is estimated to occupy 300,000 square feet with a 175,000 square-foot retail anchor tenant. The shopping center will be constructed within the General Commercial Zoning District located on the east side of State Route 160 in the town of Pahrump. Construction is expected to take approximately 3 to 5 years to complete. The Applicant is requesting a 7-year incidental take permit to include the estimated 5-year construction period and an additional 2 years in the event that construction delays occur. The entire 60-acre parcel will be developed, resulting in the incidental take of any desert tortoises that may occupy the site and the permanent loss of 60 acres of desert tortoise habitat.

To minimize and mitigate adverse effects to desert tortoise from the loss of