

Office, P.O. Box 27115, 301 Dinosaur Trail, Santa Fe, New Mexico 87502.

**FOR FURTHER INFORMATION CONTACT:** Gilda Fitzpatrick, Realty Specialist, BLM New Mexico State Office, (505) 954-2197. Additional information pertaining to this application can be reviewed in case file NMNM 114447 located in the New Mexico State Office, at the above address.

**SUPPLEMENTARY INFORMATION:** The purpose of this Disclaimer of Interest is to address the land title status to a parcel of land that is within the exterior boundary of the Carson National Forest. The authority to issue a Disclaimer of Interest for lands within the boundaries of the National Forest system administered by the U.S. Forest Service (USFS) falls to the BLM. The USFS, Southwest Regional Office, requested the BLM process Mr. Ortega's Disclaimer of Interest application after a determination by BLM Cadastral Survey that the east boundary of the parcel is riparian and extends to the medial line of the current location of the Rio Caliente river. The application requests that the United States disclaim any interest in the surface estate of the subject land from their original surveyed and platted location to the center line of the Rio Caliente river. This action will be processed pursuant to Section 315 of the FLPMA (43 U.S.C. 1745) for the following described land:

**Carson National Forest, New Mexico  
Principal Meridian**

T. 25 N., R. 8 E.,  
Sec. 24, a portion of lot 6.

The area described contains 1.490 acres more or less, in Rio Arriba County. Individual respondents may request confidentiality. 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.

A final decision on the merits of the application will not be made before January 24, 2011.

If no valid objection is received, a Disclaimer of Interest may be approved stating that the United States does not have a valid interest in these surface lands.

(Authority: 43 CFR 1864.2)

**William Merhege,**

*Deputy State Director, Division of Lands and Resources.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLNM910000 L1020000.PH0000]

**Notice Reopening the Call for  
Nominations for the New Mexico  
Resource Advisory Councils**

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

**ACTION:** Notice.

**SUMMARY:** The purpose of this notice is to reopen the nomination period for the Bureau of Land Management's (BLM) New Mexico Resource Advisory Councils (RAC). The RACs provide advice and recommendations to the BLM on land use planning and management of the public lands within their geographic areas.

**DATE:** All nominations must be received no later than November 26, 2010.

**ADDRESSES:** See **SUPPLEMENTARY INFORMATION** for the address of BLM offices accepting nominations.

**FOR FURTHER INFORMATION CONTACT:** Allison Sandoval, Bureau of Land Management, Correspondence, International, and Advisory Committee Office, 1849 C Street, NW., MS-401 LS, Washington, DC 20240; (202) 912-7434.

**SUPPLEMENTARY INFORMATION:** The Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1739) directs the Secretary of the Interior (Secretary) to involve the public in planning and issues related to management of lands administered by the BLM. Section 309 of FLPMA directs the Secretary to establish 10- to 15-member citizen-based advisory councils that are consistent with the Federal Advisory Committee Act (FACA). The rules governing RACs are found at 43 CFR subpart 1784. As required by FACA, RAC membership must be balanced and representative of the various interests concerned with the management of the public lands. These include three categories:

*Category One*—Holders of Federal grazing permits and representatives of organizations associated with energy and mineral development, timber industry, transportation or rights-of-way, developed outdoor recreation, off-highway vehicle use, and commercial recreation;

*Category Two*—Representatives of nationally or regionally recognized environmental organizations, archaeological and historic organizations, dispersed recreation activities, and wild horse and burro organizations; and

*Category Three*—Representatives of state, county, or local elected office; representatives and employees of a state agency responsible for management of natural resources; representatives of Indian tribes within or adjacent to the area for which the council is organized; representatives of academia who are employed in natural sciences; and the public-at-large.

Individuals may nominate themselves or others. Nominees must be residents of the BLM district in which the RAC has jurisdiction. The BLM will evaluate nominees based on a variety of factors, including training, experience, and knowledge of the geographical area of the RAC. Nominees should demonstrate a commitment to collaborative resource decisionmaking. Current administration policy discourages individuals who are currently federally registered lobbyists from serving on FACA and non-FACA boards, committees, or councils. The following must accompany all nominations:

- Letters of reference from represented interests or organizations;
- A completed background information nomination form; and
- Any other information that addresses the nominee's qualifications.

The BLM's New Mexico State Office will issue a press release simultaneously with this notice, providing additional information for submitting nominations, specifying the number and categories of positions available for each RAC. The terms of the appointments range from 1 to 3 years in order to stagger future expirations. If you have already submitted your nomination materials for 2010, you do not need to resubmit them. Nominations for RACs should be sent to the appropriate BLM offices listed below:

**Albuquerque RAC**

Edwin Singleton, Albuquerque District Office, BLM, 435 Montano NE, Albuquerque, New Mexico 87107, (505) 761-8700.

**Farmington RAC**

Dave Evans, Farmington District Office, BLM, 1235 La Plata Highway, Farmington, New Mexico 87401, (505) 599-8900.

**Las Cruces RAC**

Bill Childress, Las Cruces District Office, BLM, 1800 Marquess Street, Las

Cruces, New Mexico 88005, (575) 525-4300.

#### Pecos RAC

Doug Burger, Pecos District Office, BLM, 2909 West Second Street, Roswell, New Mexico 88201, (575) 627-0272.

**Certification Statement:** I hereby certify that the BLM's New Mexico RACs are necessary and in the public interest in connection with the Secretary's responsibilities to manage the lands, resources, and facilities administered by the BLM.

**Linda S.C. Rundell,**

*State Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2010-N235; 1112-0000-81440-F2]

#### Endangered and Threatened Wildlife and Plants; Permit, Santa Barbara County, CA

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

**ACTION:** Notice of availability.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received an application from Pacific Renewable Energy Generation LLC (applicant) for an incidental take permit under the Endangered Species Act of 1973, as amended (Act). We are considering issuing an incidental take permit (ITP) that would authorize the applicant's take of the federally endangered El Segundo Blue Butterfly incidental to otherwise lawful activities that would result in the loss of Coast Buckwheat, which serves as butterfly habitat. We invite comments from the public on the application, which includes the Geotechnical Boring Project Habitat Conservation Plan (HCP), and on our preliminary determination that the HCP qualifies as a low-effect plan that is eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended.

**DATES:** To ensure consideration, please send your written comments by November 26, 2010.

**ADDRESSES:** You may download a copy of the HCP, draft Environmental Action Statement, Low-Effect Screening Form, and related documents on the Internet at <http://www.fws.gov/ventura/>, or you may request documents by U.S. mail or phone (see below). Please address written comments to Diane K. Noda,

Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003. You may alternatively send comments by facsimile to (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Jen Lechuga, HCP Coordinator, at the Ventura address above, or by telephone at (805) 644-1766 extension 224.

**SUPPLEMENTARY INFORMATION:** We have received an application from Pacific Renewable Energy Generation LLC for an incidental take permit under the Act (16 U.S.C. 1531 *et seq.*). We are considering issuing an incidental take permit (ITP) that would authorize the applicant's take of the federally endangered El Segundo Blue Butterfly (*Euphilotes battoides allyni*) incidental to otherwise lawful activities that would result in the loss of 356 plants of Coast Buckwheat, which serves as habitat for El Segundo Blue Butterfly near the west end of the Santa Ynez Mountains, 7 miles south of Lompoc, Santa Barbara County, California. We invite comments from the public on the application and associated documents, and on our preliminary determination that the HCP qualifies as a low-effect plan eligible for categorical exclusion under NEPA.

#### Background

The El Segundo Blue Butterfly was listed as endangered on June 1, 1976 (41 FR 22041). The Gaviota Tarplant was listed as endangered on March 20, 2000 (65 FR 14888) and has been listed as endangered under the state of California's Endangered Species Act (California Fish and Game Code, Sections 2050 *et seq.*) since January 1990. Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and our implementing Federal regulations in the Code of Federal Regulations (CFR) at 50 CFR 17 prohibit the "take" of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (16 U.S.C. 1532). However, under limited circumstances, we issue permits to authorize incidental take. "Incidental Take" is defined by the Act as take that is incidental to, and not the purpose of, carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are, respectively, in the Code of Federal Regulations at 50 CFR 17.32 and 17.22. Issuance of an ITP also must not jeopardize the existence of federally listed fish, wildlife, or plant species.

The Act's take prohibitions do not apply to federally listed plant species on private lands unless such take would be in violation of State law. In addition to meeting other criteria, the HCP's proposed actions must not jeopardize the existence of federally listed fish, wildlife, or plants. The applicant has submitted an application to the California Department of Fish and Game for an incidental take permit pursuant to the California Endangered Species Act.

The applicant proposes to conduct 43 geotechnical borings about 8 miles northwest of Point Conception, near the west end of the Santa Ynez Mountains, and 7 miles south of Lompoc, Santa Barbara County, California. The geotechnical borings will provide the data necessary to develop and complete the design and engineering plans for the Lompoc Wind Energy Project. Phase II of the Lompoc Wind Energy Project would involve the construction and operation of wind turbines. Any potential impacts to listed species caused by the construction and operation of the Lompoc Wind Energy Project will be addressed through a subsequent consultation or permitting process under the Act. The geotechnical boring project is viewed as a discrete action because it does not guarantee that Phase II would occur. The proposed project would result in temporary direct impacts to 0.69 acres of El Segundo Blue Butterfly habitat and 0.64 acres of the Gaviota Tarplant habitat.

The applicant proposes to implement the following measures to minimize and mitigate for the loss of El Segundo Blue Butterfly habitat and Gaviota Tarplant within the permit area: (1) Establish a permanent conservation area that will preserve 712 coast buckwheat plants through a conservation easement and provide for the management of the area; (2) restore degraded native Central Coastal Scrub and Grassland habitats within the conservation area; (3) enhance 0.49 acres of Gaviota Tarplant; (4) design access routes to boring sites to minimize impacts to Gaviota Tarplant areas; (5) minimize ground disturbance; (6) use silt fencing and soil salvaging techniques to minimize impacts to the El Segundo Blue Butterfly and Gaviota Tarplant; (7) avoid flight season of the El Segundo Blue Butterfly; (8) conduct dust control, relocation of El Segundo Blue Butterflies, staging, and boundary delineation to minimize El Segundo Blue Butterfly impacts; and (9) conduct ongoing monitoring for both species to track compliance with the permit, the effects of the permitted activities, and effectiveness of the mitigation measures.

In the proposed HCP, the applicant considers two alternatives to the taking