

respectively, are found in the Code of Federal Regulations (October 1, 2006, 50 CFR 17.22; October 1, 2001, 50 CFR 17.32).

NG is seeking a permit for the incidental take of Karner blue butterfly (*Lycaeides melissa samuelis*) and frosted elfin (*Callophrys irus*) (should this species become listed in the future) for a term of 50 years. Incidental take of these species may occur in patches of habitat within approximately 56.1 miles of electric transmission line right-of-way (ROW), 52.9 miles of electric sub-transmission line, 42.32 miles of gas lines located in ROWs, and 8.41 miles of distribution line ROW (covered lands) within portions of Albany, Oneida, Schenectady, Saratoga, and Warren Counties, New York. Where multiple electric lines are located parallel in the same ROW, the length has only been counted once. Where a gas pipeline is located adjacent to an electric transmission line, both lengths have been counted. An additional 28 acres of mitigation lands are also included as covered lands. The covered activities may result in the permanent loss of 3.5 acres of occupied habitat and periodic temporary disturbance of 29.3 acres of occupied habitat during the term of the permit.

Proposed covered activities include operations, maintenance, reconstruction, and new construction of electric transmission, sub-transmission, and distribution structures and substations, as well as underground natural gas pipelines and associated aboveground gas regulator stations and valve sites.

The HCP's proposed conservation strategy is designed to avoid, minimize, and mitigate the impacts of covered activities on the covered species. The biological goals and objectives are to complement the existing conservation efforts in New York State for the butterflies by (a) Focusing mitigation/restoration/enhancement efforts within the Albany Pine Bush and Queensbury viable butterfly populations where corridor connections can be made and larger habitats of wild blue lupine can be developed; (b) working with non-governmental organizations in the area with an interest in protecting butterfly habitat; (c) avoiding and minimizing negative effects and actions; (d) promoting education and outreach; and (e) ensuring that the amount of habitat for the covered species within the covered lands does not drop below the 2006 Baseline Survey acreage.

The HCP provides a mechanism to supply funding for a full range of conservation measures targeting the butterflies and the ecosystems that

support them. Conservation measures proposed include implementation of avoidance and minimization measures to ensure continued existence of the butterflies within the covered lands, creation of a 5-acre, off-ROW preserve, and creation and/or enhancement of up to 23 acres of ROW habitat. Additionally, and although not required, NG will be proactive and conduct enhancement measures above and beyond the regulatory requirements that should result in the ultimate creation and promotion of habitat within strategically selected ROW areas of the covered lands.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed HCP. Two other alternatives to the proposed action were considered in the HCP: no action (*i.e.*, the incidental take permit for Karner blue butterfly and frosted elfin would not be issued and the HCP would not be implemented), and avoiding or reducing the performance of infrastructure repairs and replacements. However, these two alternative actions were eliminated from further consideration, due to logistical and public safety considerations, and the associated regulatory and business-related obligations to continue providing reliable electricity and natural gas service to NG's customers. NG has developed an implementation agreement (IA) that ensures proper implementation of each of the terms and conditions of the HCP and describes the applicable remedies and recourse should any party fail to perform its obligations, responsibilities, and tasks. The IA is being included with the proposed HCP for public review.

#### National Environmental Policy Act

In compliance with the NEPA of 1969, we analyzed the impacts of implementing the HCP, issuance of the permit, and a reasonable range of alternatives. Based on this analysis and any new information resulting from public comment on the proposed action, we will determine if there are any significant impacts or effects caused by issuing the incidental take permit. We have prepared a draft EA on this proposed action and have made it available for public inspection online or in person at the NYFO (see ADDRESSES).

NEPA requires that a range of reasonable alternatives to the proposed action be described. The draft EA analyzes three alternatives that were derived from discussions with NG during the development of the HCP. We evaluated a no action alternative (do not issue a permit, status quo), the proposed action, (issue the permit and implement

the HCP) and one other alternative that limits the mitigation activities to areas of impact.

#### Next Steps

We will evaluate the plan and comments we receive to determine whether the permit application meets the requirements of section 10(a) of the ESA (16 U.S.C. 1531 *et seq.*). We will also evaluate whether issuance of a section 10(a)(1)(B) permit would comply with section 7 of the ESA by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether to issue a permit. If the requirements are met, we will issue the permit to the applicant.

#### Public Comments

The Service invites the public to comment on the proposed HCP and draft EA during a 60-day public comment period ending on December 19, 2011. Comments can be submitted to the NYFO (see ADDRESSES). All comments received, including names and addresses, will become part of the administrative record and may be made available to the public. 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 may request at the top of your document that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Dated: August 11, 2011.

**Kenneth D. Elowe,**

*Acting Regional Director, Region 5.*

[FR Doc. 2011-26793 Filed 10-18-11; 8:45 am]

**BILLING CODE 4310-55-P**

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLMT926000-L19100000-BJ0000-LRCME0G01253]

#### Notice of Filing of Plats of Survey; South Dakota

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

**ACTION:** Notice of filing of plats of survey.

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**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in

the BLM Montana State Office, Billings, Montana, on November 18, 2011.

**DATES:** Protests of the survey must be filed before November 18, 2011 to be considered.

**ADDRESSES:** Protests of the survey should be sent to the Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669.

**FOR FURTHER INFORMATION CONTACT:** Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5124 or (406) 896-5009, *Marvin\_Montoya@blm.gov*. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Regional Director, Great Plains Region, Bureau of Indian Affairs, Aberdeen, South Dakota, and was necessary to determine trust and tribal lands.

The lands we surveyed are:

**Fifth Principal Meridian, South Dakota**

T. 123 N., R. 53 W.

The plat, in two sheets, representing the dependent resurvey of a portion of the subdivisional lines, a portion of the subdivision of section 10, and the adjusted original meanders of Enemy Swim Lake, formerly Lake Parker, through section 10, Township 123 North, Range 53 West, Fifth Principal Meridian, South Dakota, was accepted September 28, 2011.

We will place a copy of the plat, in two sheets, we described in the open files. They will be available to the public as a matter of information. If the BLM receives a protest against this survey, as shown on this plat, in two sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest. We will not officially file this plat, in two sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

**Authority:** 43 U.S.C. chap. 3.

**Steve L. Toth,**

*Acting Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. 2011-27021 Filed 10-18-11; 8:45 am]

**BILLING CODE 4310- DN-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLMT926000-L19100000-BJ0000-LRCMEOG04510]

**Notice of Filing of Plats of Survey; South Dakota**

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

**ACTION:** Notice of filing of plats of survey.

**SUMMARY:** The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, on November 18, 2011.

**DATES:** Protests of the survey must be filed before November 18, 2011 to be considered.

**ADDRESSES:** Protests of the survey should be sent to the Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669.

**FOR FURTHER INFORMATION CONTACT:** Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, Billings, Montana 59101-4669, telephone (406) 896-5124 or (406) 896-5009, *Marvin\_Montoya@blm.gov*. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** This survey was executed at the request of the Regional Director, Great Plains Region, Bureau of Indian Affairs, Aberdeen, South Dakota, and was necessary to determine trust and tribal lands.

The lands we surveyed are:

**Black Hills Meridian, South Dakota**

T. 12 N., R. 24 E.

The plat, in three sheets, representing the dependent resurvey of portions of the west boundary and subdivisional lines, and the subdivision of section 18, and the resurvey of portions of Lots 1, 2, 3, and 4 of the SE ¼ of section 18, and portions of Spiel's Subdivision in section 18, and portions of Spiel's Second Subdivision in section 18, Township 12 North, Range 24 East, Black Hills Meridian, South Dakota, was accepted September 28, 2011.

We will place a copy of the plat, in two sheets, we described in the open files. They will be available to the

public as a matter of information. If the BLM receives a protest against this survey, as shown on this plat, in two sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest. We will not officially file this plat, in two sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

**Authority:** 43 U.S.C. chap. 3.

**Steve L. Toth,**

*Acting Chief Cadastral Surveyor, Division of Resources.*

[FR Doc. 2011-27029 Filed 10-18-11; 8:45 am]

**BILLING CODE 4310-DN-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[LLCA 942000 L57000000 BX0000]

**Filing of Plats of Survey: California**

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

**ACTION:** Notice.

**SUMMARY:** The plats of survey and supplemental plats of lands described below are scheduled to be officially filed in the Bureau of Land Management California State Office, Sacramento, California, thirty (30) calendar days from the date of this publication.

**ADDRESSES:** A copy of the plats may be obtained from the California State Office, Bureau of Land Management, 2800 Cottage Way, Sacramento, California 95825, upon required payment.

**PROTEST:** A person or party who wishes to protest a survey must file a notice that they wish to protest with the California State Director, Bureau of Land Management, 2800 Cottage Way, Sacramento, California, 95825.

**FOR FURTHER INFORMATION CONTACT:** Chief, Branch of Geographic Services, Bureau of Land Management, California State Office, 2800 Cottage Way, Room W-1623, Sacramento, California 95825, (916) 978-4310.

**SUPPLEMENTARY INFORMATION:** These surveys and supplemental plats were executed to meet the administrative needs of various federal agencies; the Bureau of Land Management, Bureau of Indian Affairs or US Forest Service. The lands surveyed are:

**Humboldt Meridian, California**

T. 8 N., R. 3 E., dependent resurvey and subdivision accepted September 9, 2011.

**Mount Diablo Meridian, California**

T. 25 N., R. 8 W., dependent resurvey and