

of the Federally endangered fish species amber darter (*Percina antesella*) and Etowah darter (*Etheostoma etowahae*), and the Federally threatened Cherokee darter (*Etheostoma scotti*), incidental to the applicants' regulation of development and construction in their respective jurisdictions. The applicants request ITPs under the Endangered Species Act of 1973 (Act), as amended. The Applicants' HCP describes the mitigation and minimization measures proposed to address the effects on the species.

**DATES:** We must receive any written comments on the ITP applications, EA, and HCP at our Regional Office (see **ADDRESSES**) on or before August 31, 2009.

**ADDRESSES:** Documents will be available for public inspection by appointment during normal business hours at, and are available from, the Fish and Wildlife Service's Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345 (Attn: David Dell); or Fish and Wildlife Service, West Park Center, Suite D, 105 West Park Drive, Athens, GA 30606.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional HCP Coordinator (see **ADDRESSES**), telephone: 404/679-7313; or Ms. Robin Goodloe, Field Office Project Manager (see **ADDRESSES**), at 706/613-9493, ext. 221.

**SUPPLEMENTARY INFORMATION:** We announce the availability of a proposed HCP, 13 accompanying ITP applications, and an EA, which analyzes the take of the amber darter, Etowah darter, and Cherokee darter incidental to programs in the 13 applicant counties and municipalities. The applicants request 25-year ITPs under section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act; 16 U.S.C. 1531 *et seq.*), as amended.

We specifically request information, views, and opinions from the public via this notice on our proposed Federal action, including identification of any other aspects of the human environment not already identified in the EA pursuant to NEPA regulations (40 CFR 1506.6). Further, we specifically solicit information regarding the adequacy of the HCP per 50 CFR parts 13 and 17.

An assessment of the likely environmental impacts associated with the implementation of the Etowah River HCP, the EA considers the environmental consequences of two alternatives and the proposed action. The proposed action alternative is issuance of the ITPs and implementation of the HCP as submitted by the Applicants. The HCP covers activities associated with the new

development and redevelopment of land by participating local governments and private entities, except for: (1) Construction of sewer lines, (2) stormwater runoff from roads constructed by jurisdictions, and (3) utility crossings of streams that are not part of a larger common plan of development or sale. The HCP also addresses water supply planning by participating local governments and their partners. Avoidance, minimization, and mitigation measures include stormwater management, riparian buffers, erosion and sediment control, stream crossing requirements, and a reservoir siting protocol.

#### Public Comments

If you wish to comment, you may submit comments by any one of several methods. Please reference "Etowah River HCP" in such comments. You may mail comments to the Fish and Wildlife Service's Regional Office (see **ADDRESSES**). You may also comment via the Internet to [david\\_dell@fws.gov](mailto:david_dell@fws.gov). Please include your name and return address in your Internet message. If you do not receive a confirmation from us that we have received your Internet message, contact us directly at either telephone number listed under **FOR FURTHER INFORMATION CONTACT**.

Finally, you may hand-deliver comments to either of our offices listed under **ADDRESSES**. 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.

#### Covered Area

The area covered by the Etowah Aquatic HCP includes all those portions of the Etowah basin that are in Bartow, Cherokee, Cobb, Dawson, Forsyth, Paulding, and Pickens Counties, Georgia, including all municipalities that lie within that area, as well as the portion of the City of Roswell (Roswell lies in another county not participating in the HCP) that lies within the Etowah Basin. The entire covered area encompasses 3,773 km<sup>2</sup> or approximately 932,000 ac. The following counties and municipalities have applied for ITPs under the Etowah Aquatic HCP:

Bartow County .....	TE179735-0
Cherokee County .....	TE179736-0
Paulding County .....	TE179734-0
Pickens County .....	TE179722-0
The City of Acworth .....	TE179730-0
City of Ball Ground .....	TE179731-0
City of Canton .....	TE179727-0
City of Dawsonville .....	TE179723-0
City of Dallas .....	TE179724-0
City of Holly Springs .....	TE179733-0
City of Roswell .....	TE179732-0
City of Waleska .....	TE179726-0
City of Woodstock .....	TE179728-0

#### Next Steps

We will evaluate these ITP applications, including the HCP and any comments we receive, to determine whether these applications meet the requirements of section 10(a)(1)(B) of the Act. We will also evaluate whether issuance of the section 10(a)(1)(B) ITPs complies with section 7 of the Endangered Species Act 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 or not to issue the ITPs. If we determine that the requirements are met, we will issue the ITPs for the incidental take of the amber darter, Etowah darter, and Cherokee darter.

#### Authority

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 9, 2009.

**Cynthia K. Dohner,**

*Deputy Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### New Merced Wild and Scenic River Comprehensive Management Plan; Yosemite National Park; Mariposa and Madera Counties, CA; Notice of Intent To Prepare Environmental Impact Statement

**Summary:** Pursuant to the National Environmental Policy Act (Pub. L. 91-190) and the Wild and Scenic Rivers Act (Pub. L. 90-542), the National Park Service is reopening public scoping for planning and environmental impact analysis for a new Merced Wild and Scenic River Comprehensive Management Plan and Environmental Impact Statement (NMRP/EIS) in Yosemite National Park. The NMRP/EIS

will serve as a comprehensive "blueprint" sufficient to guide future management of the Merced River corridor in Yosemite National Park.

*Background:* In 1987, Congress designated 122 miles of the Merced River and its South Fork as Wild and Scenic, including the 81 miles within Yosemite National Park and the El Portal Administrative Site. The National Park Service (NPS) completed the Merced Wild and Scenic River Comprehensive Management Plan/Final Environmental Impact Statement in August 2000. Soon after, two citizens' groups filed suit in the U.S. District Court for the Eastern District of California, resulting in the production of the Merced Wild and Scenic River Revised Comprehensive Management Plan/Supplemental Environmental Impact Statement (MCMP/SEIS) in 2005. Subsequent court proceedings culminated in a 2006 U.S. District Court decision that invalidated the park's MCMP/SEIS and ordered the NPS to prepare a new comprehensive management plan. On January 9, 2007, the NPS proposed a 33-month timeline to the court for the preparation of the NMRP/EIS, which would result in a Record of Decision on September 30, 2009. The NPS initiated public scoping for the NMRP on March 28, 2007; a Notice of Intent to prepare an Environmental Impact Statement was published on April 11, 2007 in the **Federal Register** (public scoping lasted 74 days, closing on June 10, 2007). Concurrently, the NPS appealed U.S. District Court's decision that the 2005 MCMP/SEIS was invalid. On March 27, 2008 the U.S. Court of Appeals for the Ninth Circuit (Ninth Circuit) issued an opinion affirming the judgment of the District Court and expanding the scope of what the NPS had previously understood must be included in a legally valid Merced Wild and Scenic River Comprehensive Management Plan. Consequently the NPS is reopening public scoping for the NMRP/EIS so as to provide additional opportunity for public involvement in developing a new plan.

The NMRP/EIS will address: resource protection; existing and potential development of lands and facilities; user capacities; and the kinds and amounts of use which the river area can sustain without impacting values for which it was designated. It will identify specific management measures that will be used to protect and enhance the outstandingly remarkable values (ORVs) for each of the river segments, including the scenic, recreational, geological, fish and wildlife, historic, cultural or other similar values. In addition, the NMRP/

EIS will address the quantity and mixture of recreation and other public uses that may be permitted without adverse impact to the ORVs, including a discussion of the maximum number of people that may be received at the river while protecting and enhancing the values for which the Merced and South Fork Merced were included in the Wild and Scenic Rivers system.

*Scoping and Public Meetings:* The purpose of re-opening scoping is to receive any new public comments about issues and concerns that should be addressed in the New MRP/EIS, including a suitable range of alternatives, appropriate mitigation measures, and the nature and extent of potential environmental impacts. Given that all prior scoping comments remain under consideration, at this time only pertinent information or concerns not previously provided need to be submitted. Broad participation of interested individuals and organizations is important to the planning and analysis process. During this concluding phase, the public is invited to share new concerns that should be considered in the development of the draft NMRP/EIS. Yosemite National Park will also further consult tribal, federal, state, and local governments. The renewed opportunity for scoping will be posted on the park Web site, and press releases will be distributed to local and regional media. Dates, times, specific locations, and additional information will be released through regional and local news sources, and updates will be posted at [www.nps.gov/yose/planning/mrp](http://www.nps.gov/yose/planning/mrp). In addition, updates regarding future public involvement opportunities, including workshops for alternatives formulation and later release of the draft NMRP/EIS for public review, will be similarly announced in regional news media and on the park's Web site, and through direct mailings.

Written comments should be addressed to the Superintendent, Attn: Merced River Plan, Yosemite National Park, PO Box 577, Yosemite National Park, CA 95389, or faxed to (209) 379-1294, and must be postmarked or transmitted not later than 60 days from the publication date of this NOI in the **Federal Register** (immediately upon confirmation of this date it will be posted on the park's Web site and announced via local and regional press). Before including your address, phone number, e-mail address, or other personal identifying information in your comment, be advised 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 from public review your personal identifying information, we cannot guarantee that we will be able to do so.

*Decision Process:* At this time it is expected that following due consideration of all comments on the draft NMRP/EIS as may be received, the final NMRP/EIS would be made available during spring-summer 2012, with preparation of a Record of Decision anticipated during September, 2012. As a delegated EIS the official responsible for final approval of the NMRP/EIS is the Regional Director, Pacific West Region. Subsequently the official responsible for implementing the approved new Merced Wild and Scenic River Comprehensive Management Plan would be the Superintendent, Yosemite National Park.

Dated: March 10, 2009.

**Jonathan B. Jarvis,**

*Regional Director, Pacific West Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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LVRWF09F8770; NVN-085077 and NVN-  
085801; 09-08807; TAS: 14X5017]

#### Notice of Intent To Prepare an Environmental Impact Statement for the Proposed NextLight Renewable Power, LLC, Silver State North Solar Project and Silver State South Solar Project, Pimm, NV

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

**ACTION:** Notice of intent.

**SUMMARY:** In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), the Bureau of Land Management (BLM), Las Vegas Field Office, will prepare one environmental impact statement (EIS) for two proposed solar energy projects located on public lands in Clark County, Nevada. Publication of this notice initiates the beginning of the scoping process to solicit public comments and identify issues.

**DATES:** This notice initiates the public scoping process. Comments on issues may be submitted in writing until July 30, 2009. The date(s) and location(s) of any scoping meetings will be announced at least 15 days in advance through local news media and the BLM Web site at: <http://www.blm.gov/nv/st/en/fo/lvfo.html>.