

**ADDRESSES:** Please address written comments to Diane Noda, Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. You may also send comments by facsimile to (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Jen Lechuga, HCP Coordinator, (*see ADDRESSES*) telephone: (805) 644-1766.

**SUPPLEMENTARY INFORMATION:**

**Availability of Documents**

You may obtain copies of the draft documents by contacting the Assistant Field Supervisor (*see ADDRESSES*). Copies of the draft documents are also available for public inspection and review at the following locations: (1) U.S. Fish and Wildlife Service, Ventura Field Office, 2493 Portola Road, Suite B, Ventura, California 93003; (2) City of Santa Cruz Public Library, 224 Church Street, Santa Cruz, California 95060; (3) UCSC McHenry Library, 1156 High Street, Santa Cruz, California 95064; and (4) Ventura Fish and Wildlife Office Internet site: <http://ventura.fws.gov>.

**Background**

Section 9 of the Act and Federal regulations prohibit the "take" of fish and wildlife species listed as endangered or threatened. Take of federally listed fish and wildlife is defined under the Act as including 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. 1538). However, under section 10(a) of the Act, we may 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 incidental take permits for threatened and endangered species are found at 50 CFR 17.32 and 17.22.

In 1989, a long-range development plan (LRDP) was prepared for the UCSC, to provide a plan for anticipated campus growth through the year 2005. The Ranch View Terrace project is consistent with the LRDP and is necessary because the current supply of affordable on-campus housing for faculty is inadequate to meet current and future demands. The proposed Ranch View Terrace development and Emergency Response Center would partially implement the LRDP's program for campus growth to an enrollment of 15,000 students by 2005 by providing additional faculty housing and emergency response services to support

the campus population. The tiger beetle and red-legged frog may be affected by the construction, occupation and operation of the Ranch View Terrace development and a portion of the Emergency Response Center, and the long-term monitoring and management of mitigation lands under the HCP.

The activities that would be covered by the proposed permit include the construction, occupation, and operation of a 13-acre faculty housing development and a 0.2-acre equipment storage site and building to support the Emergency Response Center. In addition, the long-term monitoring and management of mitigation lands under the HCP, developed to fulfill the requirements of the section 10(a)(1)(B) permit, would be covered by the proposed permit.

Our Environmental Assessment considers the environmental consequences of four alternatives, including: (1) The No Action Alternative, which consists of no development and no permit issuance; (2) the Proposed Action Alternative which consists of development of Ranch View Terrace and the Emergency Response Center with the issuance of the ITP and implementation of the HCP and Implementing Agreement; (3) the Off-Campus Housing Alternative, which consists of relocation of the project to an off-campus location known as the Swenson Site; and (4) the Reduced Project on Inclusion Area D Site which would cover a reduced area for the Ranch View Terrace development. Under the third alternative, the 11-acre site is located on Shaffer Road, adjacent to the UCSC Long Marine Laboratory; this alternative would require the development of a separate HCP and issuance of a separate ITP by the Service due to the presence of suitable red-legged frog and tiger beetle habitat. Under the fourth alternative, the housing development would still be located on Inclusion Area D, but would be located on the northwest area of the site and encompass approximately half the number of housing units, reduced landscaping, and fewer community-related amenities; the 0.2-acre equipment storage facility for the Emergency Response Center would still be constructed.

This notice is provided pursuant to section 10(a) of the Act and the regulations of the National Environmental Policy Act (NEPA) of 1969 (40 CFR 1506.6). Pursuant to an order issued on June 10, 2004, by the District Court for the District of Columbia in *Spirit of the Sage Council v. Norton* Civil Action No. 98-1873 (D. D.C.), the Service is enjoined from

issuing new section 10(a)(1)(B) permits or related documents containing "No Surprises" assurances, as defined by the Service's "No Surprises" rule published at 63 FR 8859 (February 23, 1998), until such time as the Service adopts new permit revocation rules specifically applicable to section 10(a)(1)(B) permits in compliance with the public notice and comment requirements of the Administrative Procedures Act. This notice concerns a step in the review and processing of a section 10(a)(1)(B) permit and any subsequent permit issuance will be in accordance with the Court's order. Until such time as the June 10, 2004, order has been rescinded or the Service's authority to issue permits with "No Surprises" assurances has been otherwise reinstated, the Service will not approve any incidental take permits or related documents that contain "No Surprises" assurances.

All comments that we receive, including names and addresses, will become part of the official administrative record and may be made available to the public. We will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of NEPA regulations and section 10(a) of the Act. If we determine that those requirements are met, we will issue a permit to the applicant for the incidental take of red-legged frog and tiger beetle. We will make our final permit decision no sooner than 60 days from the date of this notice.

Dated: July 19, 2004.

**Paul Henson,**

*Acting Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

[FR Doc. 04-16812 Filed 7-22-04; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Notice of Availability of Restoration Compensation Determination Plan/ Environmental Assessment for the Grand Calumet River, Indiana Harbor Ship Canal, Indiana Harbor and Associated Lake Michigan Environments**

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

**ACTION:** Notice of 60-day comment period.

**SUMMARY:** Notice is given that the document entitled: "Restoration and Compensation Determination Plan/ Environmental Assessment Grand

Calumet River, Indiana Harbor Ship Canal, Indiana Harbor Canal Natural Resource Damage Assessment" will be available for public review and comment on the date of publication in the **Federal Register**.

**DATES:** Written comments on the Plan must be submitted within 60 days of the date of this Notice.

**ADDRESSES:** Written comments may be mailed to: Supervisor, Ecological Services Office, U.S. Fish and Wildlife Service, 620 S. Walker Street, Bloomington, Indiana 47403; faxed to (812) 334-4273; or: Natural Resource Trustee, Office of Legal Counsel, Indiana Department of Environmental Management, 100 N. Senate Avenue, P.O. Box 6015, Indianapolis, Indiana 46206-6015; faxed to (317) 233-5517.

**FOR FURTHER INFORMATION CONTACT:** This RCDP/EA is available on our Web site at: <http://midwest.fws.gov/GrandCalumetRiver>. For further information, contact Dan Sparks, Telephone 812-334-4261, extension 219; e-mail [Daniel\\_Sparks@fws.gov](mailto:Daniel_Sparks@fws.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this restoration compensation determination plan/environmental assessment is to aid in the development of restoration options for natural resources that have been injured in the Grand Calumet River, Indiana Harbor Ship Canal, Indiana Harbor and Associated Lake Michigan Environments resulting from exposure to hazardous substances released by area steel mills, refineries and other sources. This plan has been developed to address natural resource injury and resultant damages under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and the Clean Water Act, as amended.

**Charles Wooley,**

*Acting Regional Director, U.S. Fish and Wildlife Service.*

[FR Doc. 04-16774 Filed 7-22-04; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### California District Advisory Council Meeting; Cancellation Notice

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

**ACTION:** Notice of cancellation for a meeting of the California Desert District Advisory Council.

**SUMMARY:** Notice is hereby given, in accordance with Public Laws 92-463 and 94-579, that the California Desert District Advisory Council to the Bureau

of Land Management, U.S. Department of the Interior, has cancelled the two-day public meeting scheduled Friday, August 27 from 8 a.m. to 5 p.m. and Saturday, August 28 from 8 a.m. to 1 p.m., at the Needles City Council Chambers, 1111 Bailey, Needles, California. The public will be notified when the meeting has been rescheduled.

**FOR FURTHER INFORMATION CONTACT:** Mr. Doran Sanchez, BLM California Desert District External Affairs (909) 697-5220.

Dated: July 19, 2004.

**Linda Hansen,**

*District Manager.*

[FR Doc. 04-16814 Filed 7-22-04; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WO-260-09-1060-00-24 1A]

### Wild Horse and Burro Advisory Board; Meeting

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

**ACTION:** Announcement of meeting.

**SUMMARY:** The Bureau of Land Management (BLM) announces that the Wild Horse and Burro Advisory Board will conduct a meeting on matters pertaining to management and protection of wild, free-roaming horses and burros on the Nation's public lands.

**DATES:** The Advisory Board will meet Monday, August 9, 2004, from 8 a.m. to 5 p.m., local time, and on Tuesday, August 10, 2004, from 8 a.m. to 12 p.m., local time.

**ADDRESSES:** The Advisory Board will meet at the Best Western Airport Plaza, 1981 Terminal Way, Reno, Nevada 89502, (775) 348-6370.

Written comments pertaining to the Advisory Board meeting should be sent to: Bureau of Land Management, National Wild Horse and Burro Program, WO-260, Attention: Ramona Delorme, 1340 Financial Boulevard, Reno, Nevada 89502-7147. Submit written comments pertaining to the Advisory Board meeting no later than close of business August 4, 2004. See **SUPPLEMENTARY INFORMATION** section for electronic access and filing address.

**FOR FURTHER INFORMATION CONTACT:** Janet Neal, Wild Horse and Burro Public Outreach Specialist, (775) 861-6583.

Individuals who use a telecommunications device for the deaf (TDD) may reach *Ms. Neal* at any time by calling the Federal Information Relay Service at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:**

## I. Public Meeting

Under the authority of 43 CFR part 1784, the Wild Horse and Burro Advisory Board advises the Secretary of the Interior, the Director of the BLM, the Secretary of Agriculture, and the Chief of Forest Service, on matters pertaining to management and protection of wild, free-roaming horses and burros on the Nation's public lands. The tentative agenda for the meeting is:

*Monday, August 9, 2004 (8 a.m.-5 p.m.)*

8 a.m. Call to Order & Introductions

8:15 a.m. Old Business

Approval of May Minutes

Charter and 2005 Nominations

Update

FY 04-FY 05 Updates

9:30 a.m. Break

9:45 a.m. Program Updates

Gathers

Facilities

12:30 p.m. Lunch

1:30 p.m. Old Business

Forest Service Update

Research and Census Update

2:30 p.m. Break

2:45 p.m. Old Business

USDA/BLM MOU

4 p.m. Public Comments

4:45 p.m. Recap/Summary

5-6 p.m. Adjourn: Roundtable

Discussion

*Tuesday, August 10, 2004 (8 a.m.-12 p.m.)*

8 a.m. New Business

8:45 a.m. Board Recommendations

9:45 a.m. Break

10 a.m. Next Meeting/Date/Site

Proposed Agenda Items

12 p.m. Adjourn

The meeting site is accessible to individuals with disabilities. An individual with a disability needing an auxiliary aid or service to participate in the meeting, such as interpreting service, assistive listening device, or materials in an alternate format, must notify the person listed under **FOR FURTHER INFORMATION CONTACT** two weeks before the scheduled meeting date. Although the BLM will attempt to meet a request received after that date, the requested auxiliary aid or service may not be available because of insufficient time to arrange it.

The Federal Advisory Committee Management Regulations [41 CFR 101-6.1015(b),] require BLM to publish in the **Federal Register** notice of a meeting 15 days prior to the meeting date.

## II. Public Comment Procedures

Members of the public may make oral statements to the Advisory Board on August 9, 2004, at the appropriate point