

(*Fritillaria liliacea*), Loma Prieta hoita (*Hoita strobilina*), smooth lessingia (*Lessingia micradenia* var. *glabrata*), Hall's bush mallow (*Malacothamnus hallii*), robust monardella (*Monardella villosa* ssp. *globosa*), rock sanicle (*Sanicula saxatilis*), and most beautiful jewelflower (*Streptanthus albidus* ssp. *peramoenus*).

Section 9 of the Act and Federal regulations prohibit the "take" of wildlife species listed as endangered or threatened (16 U.S.C. 1538). The Act defines the term "take" as: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species, or to attempt to engage in such conduct (16 U.S.C. 1532). Harm includes significant habitat modification or degradation that actually kills or injures listed wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, and sheltering [50 CFR 17.3(c)]. Pursuant to Section 10(a)(1)(B) 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. Service regulations governing permits for threatened species and endangered species, respectively, are promulgated in 50 CFR 17.32 and 50 CFR 17.22. NMFS regulations governing permits for threatened and endangered species of salmonids that may be covered in the Plan are promulgated in 50 CFR 222.22.

Take of listed plant species is not prohibited under the Act, and cannot be authorized under a Section 10 permit. We propose to include plant species on the permit in recognition of the conservation benefits provided for them under an HCP. For the purposes of the Plan, certain plant species are further included to meet regulatory obligations under Section 7 of the Act and the California Endangered Species Act (CESA). All species included on an incidental take permit would receive assurances under the Service's "No Surprises" regulations found in 50 CFR 17.22(b)(5) and 17.32(b)(5).

The Plan would result in take authorization for otherwise lawful actions, such as public and private development that may incidentally take or harm animal species or their habitats within the Plan area, and the formation and management of a conservation program for covered species. The Local Partners will request incidental take coverage for the following seven categories of covered activities: (1) Urban development, (2) in-stream capital projects, (3) in-stream operation and maintenance activities, (4) rural capital projects, (5) rural operations and

maintenance activities, (6) rural development, and (7) conservation strategy implementation.

The study area includes approximately 518,819 acres, or approximately 62 percent of Santa Clara County. The study area was defined as the area in which covered activities would occur, impacts would be evaluated, and conservation activities would be implemented. The boundary of the study area was based on political, ecological, and hydrologic factors. The study area includes the Pajaro River watershed within Santa Clara County including all or a portion of the Llagas, Uvas, Pescadero and Pacheco sub-watersheds and the Coyote Creek watershed with the exception of the Baylands region. A large portion of the Guadalupe watershed is within the study area, as well as small areas outside of each of these watersheds.

Environmental Impact Statement/ Report

The EIS/EIR will consider the proposed action (i.e., the issuance of a Section 10(a)(1)(B) permit under the Act), no action (no project/no Section 10 permit), and a reasonable range of alternatives. A detailed description of the proposed action and alternatives will be included in the EIS/EIR. The alternatives to be considered for analysis in the EIS/EIR may include: Modified lists of covered species, land coverage areas, and extent of future conservation efforts. The EIS/EIR will also identify potentially significant impacts on biological resources, land use, air quality, water quality, economics, and other environmental resource issues that could occur directly or indirectly with implementation of the proposed action and alternatives. Different strategies for avoiding, minimizing and mitigating the impacts of incidental take may also be considered.

Environmental review of the EIS/EIR will be conducted in accordance with the requirements of NEPA (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500–1508), other applicable regulations, and Service procedures for compliance with those regulations. This notice is being furnished in accordance with 40 CFR Section 1501.7 and 1508.22 to obtain suggestions and information from other agencies and the public on the scope of issues and alternatives to be addressed in the EIS/EIR. The primary purpose of the scoping process is to identify important issues raised by the public related to the proposed action. Written comments from interested parties are invited to ensure that the full range of

issues related to the permit application is identified. Comments will only be accepted in written form. You may submit written comments by mail, facsimile transmission, or in person (see **ADDRESSES**). All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Our practice is to make comments, including names, home addresses, home phone numbers, and email addresses of respondents available for public review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure would constitute a clearly unwarranted invasion of privacy. Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. We will always make submissions from organization or businesses, and from individuals identifying themselves as representatives of or officials of organizations or businesses, available for public inspection in their entirety.

Dated: August 30, 2007.

Ken McDermond,

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

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-910-07-1990-EX, 7-08808]

Notice of Availability of Draft Supplemental Environmental Impact Statement for Newmont Mining Corporation's Leeville Project, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA, 42 U.S.C. 4321, *et seq.*), the Bureau of Land Management (BLM), Elko Field Office has prepared a Draft Supplemental Environmental Impact Statement (SEIS) for Newmont Mining Corporation's Leeville gold mine in Eureka and Elko counties, Nevada, and by this notice is announcing the opening of the comment period.

DATES: To assure they will be considered, the BLM must receive written comments on the Draft SEIS within 60 days following the date the Environmental Protection Agency publishes their Notice of Availability in the **Federal Register**.

ADDRESSES: You may submit comments by the following methods: Fax: (775) 753-0255, Mail: Leeville Project Manager, BLM Elko Field Office, 3900 East Idaho Street, Elko, NV 89801.

FOR FURTHER INFORMATION CONTACT: Deb McFarlane, BLM Elko Field Office, 3900 East Idaho Street, Elko, NV 89801, (775) 753-0200.

SUPPLEMENTARY INFORMATION: The BLM signed a Record of Decision (ROD) for Newmont Mining Corporation's Leeville Project, an underground gold mine located on the Carlin Trend in northeastern Nevada, on September 25, 2002. The Leeville Mine includes three main ore bodies located approximately 2,500 feet below ground surface. Newmont is authorized to construct ancillary mine facilities, including construction of five shafts to access the ore bodies, shaft hoists, waste rock disposal facility, refractory ore stockpiles, facilities to support mine dewatering, and facilities to support backfill operations. Surface disturbance totals 486 acres. Four years of legal review resulted in a decision by the United States Court of Appeals for the Ninth Circuit holding that portions of the cumulative effects analysis were insufficient. In response, the BLM has updated the cumulative effects analyzed in Chapter 4 of the 2002 EIS, including information on any new or proposed projects that could contribute cumulative effects, and has issued this Draft SEIS which analyzes the cumulative effects analysis for Newmont Mining Corporation's Leeville gold mine in Eureka and Elko counties, Nevada. A copy of the Draft SEIS may be obtained from: Bureau of Land Management, Elko Field Office, 3900 Idaho Street, Elko, Nevada 89801. The Draft SEIS may also be found on the Elko Field Office Internet site at: http://www.blm.gov/nv/st/en/fo/elko_field_office/blm_information/nepa.htm. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours 7:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the Final SEIS.

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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Ron Wenker,
State Director, Nevada.
[FR Doc. 07-4340 Filed 8-31-07; 2:38 pm]
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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-910-07-1990-EX, 7-08808]

Notice of Availability of Draft Supplemental Environmental Impact Statement for Newmont Mining Corporation's South Operations Area Project Amendment, Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA, 42 U.S.C. 4321, *et seq.*) the Bureau of Land Management (BLM) has prepared a Draft Supplemental Environmental Impact Statement (SEIS) for Newmont Mining Corporation's South Operations Area Project Amendment (SOAPA) in Eureka and Elko counties, Nevada, and by this notice is announcing the opening of the comment period.

DATES: To assure they will be considered, the BLM must receive written comments on the Draft SEIS within 60 days following the date the Environmental Protection Agency publishes their Notice of Availability in the **Federal Register**.

ADDRESSES: You may submit comments by the following methods: Fax: (775) 753-0255, Mail: Send to SOAPA Project Manager, BLM Elko Field Office, 3900 East Idaho Street, Elko, NV 89801.

FOR FURTHER INFORMATION CONTACT: Deb McFarlane, BLM Elko Field Office, 3900 East Idaho Street, Elko, NV 89801, (775) 753-0200.

SUPPLEMENTARY INFORMATION: The BLM signed a Record of Decision (ROD) for Newmont Mining Corporation SOAPA project located on the Carlin Trend in northeastern Nevada, on July 26, 2002. That ROD authorized Newmont to mine an additional 350 feet below what had been previously authorized, to expand 139 acres of surface occupation, to expand waste rock disposal facilities and heap leach facilities, to continue

dewatering and ground water discharge to Maggie Creek, and to construct associated ancillary facilities. Four years of legal review resulted in a decision by the United States Court of Appeals for the Ninth Circuit holding that portions of the cumulative effects analysis were insufficient. In response, the BLM has updated the cumulative effects analysis for Newmont Mining Corporation's SOAPA project in Chapter 5 of the 2002 EIS, including, any new or proposed projects that could contribute to cumulative effects, and has issued a Draft SEIS. A copy of the Draft SEIS may be obtained from the Bureau of Land Management, Elko Field Office, 3900 Idaho Street, Elko, Nevada 89801. The Draft SEIS may also be found on the Elko Field Office Internet site: http://www.blm.gov/nv/st/en/fo/elko_field_office/blm_information/nepa.htm. Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours 7:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the Final SEIS.

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 your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Ron Wenker,
State Director, Nevada.
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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Meeting of the California Desert Advisory Council

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

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, will participate in a field tour of BLM-administered public lands on Friday, September 28, 2007 from 8 a.m. to 4 p.m., and meet in formal session on Saturday, September 29 from