

Supervisor (see **ADDRESSES** section). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. We will not, however, consider anonymous comments. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Information received in response to this notice and review will be available for public inspection, by appointment, during normal business hours (see **ADDRESSES** section).

**Authority:** This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: June 16, 2005.

**Wendi Weber,**

*Assistant Regional Director, Ecological Services, Region 3.*

[FR Doc. 05-14161 Filed 7-18-05; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Proposed Low Effect Habitat Conservation Plan for Northern Indiana Public Service Company and the Indiana-American Water Company, Inc.**

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

**ACTION:** Notice of availability.

**SUMMARY:** Northern Indiana Public Service Company and the Indiana-American Water Company, Inc. (Applicants) have applied to the U.S. Fish and Wildlife Service (Service) for a joint incidental take permit for one covered species pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The application addresses the potential for "take" of the endangered Karner blue butterfly (*Lycaeides melissa samuelis*) from management activities associated with electric power transmission line, natural gas pipeline, and potable water pipeline right-of-ways in northern Lake and Porter Counties, Indiana. A conservation program to mitigate for the project activities would be implemented

as described in the proposed Low Effect Habitat Conservation Plan (proposed Plan), which would be implemented by the Applicants. We are requesting comments on the permit application and on the preliminary determination that the proposed Plan qualifies as a "Low-Effect" Habitat Conservation Plan, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended.

**DATES:** Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Ecological Services, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received on or before August 18, 2005.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter Fasbender, (612) 713-5343.

#### **SUPPLEMENTARY INFORMATION:**

##### **Availability of Documents**

Individuals requesting copies of the applications and proposed Plan should contact the Service by telephone at (612) 713-5343 or by letter to the U.S. Fish and Wildlife Office (see **DATES**). Copies of the proposed Plan also are available for public inspection during regular business hours at the U.S. Fish and Wildlife Office located at 1000 West Oakhill Road, Porter, Indiana or at the Service's Regional Web site at: <http://www.fws.gov/midwest/NEPA>.

##### **Background**

Section 9 of the Act and its implementing Federal regulations prohibit the take of animal species listed as endangered or threatened. The definition of take under the Act includes the following activities: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). However, under section 10(a) of the Act, the Service 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 endangered species are found in the Code of Federal Regulations at 50 CFR 17.22.

The Applicant is seeking a permit for take of the Karner blue butterfly during the 25 years of the permit. The project involves the operation and maintenance of 4 utility corridors encompassing approximately 86 acres, of which 4.2 acres is currently considered habitat for the Karner blue butterfly. Normal maintenance activities that would occur include temporary disturbances

resulting from transmission line maintenance, replacing conductors, gas line construction or replacement, water main maintenance and construction, and vegetation management to control tree growth. All activities will take place within the existing utility right-of-ways and easement. Incidental take will occur within the right-of-ways as a result of temporary disturbance to Karner blue butterfly habitat by truck and heavy equipment traffic, soil disturbances from excavation activities, mowing and hand cutting of brush and woody stems, and application of herbicides. The project site is not known to contain any other rare, threatened, or endangered species or habitat. Critical habitat does not occur for any listed species on the project site.

The Applicant proposes to mitigate the effects to the Karner blue butterfly associated with the covered activities by fully implementing the Plan. The purpose of the proposed Plan's conservation program is to promote the biological conservation of the Karner blue butterfly. The Applicant proposes to mitigate the take by creating an additional 9 acres of habitat by planting wild lupine and other nectar plants.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed Plan, which includes measures to mitigate impacts of the project on the Karner blue butterfly. Two alternatives to the taking of the listed species under the Proposed Action are considered in the proposed Plan. Under the No Action Alternative, no permit would be issued, and no construction would occur. Under the No Change from the historic maintenance plan, no incidental take of the Karner blue butterfly would be authorized, but a reduction in the habitat quality would result since there would be no provision for habitat improvements. By eliminating habitat enhancements of the corridors, the quality and extent of the existing Karner blue butterfly habitat would diminish through normal ecological succession.

The Service has made a preliminary determination that approval of the proposed Plan qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 6, Appendix 1, Section 1.4C(2)) and as a "low-effect" plan as defined by the Habitat Conservation Planning Handbook (November 1996). Determination of Low-effect Habitat Conservation Plans is based on the following three criteria: (1) Implementation of the proposed Plan would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2)

implementation of the proposed Plan would result in minor or negligible effects on other environmental values or resources; and (3) impacts of the proposed Plan, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result in cumulative effects to environmental values or resources which would be considered significant.

Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. We will consider public comments in making the final determination on whether to prepare such additional documentation.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the proposed Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If the requirements are met, we will issue permits to the Applicants for the incidental take of the Karner blue butterfly from right-of-way management in Lake and Porter Counties, Indiana.

Dated: June 10, 2005.

**Robert Krska,**

*Acting Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.*

[FR Doc. 05-14160 Filed 7-18-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Reconstruction of BIA Route 4 on the Crow Creek Reservation, South Dakota

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Indian Affairs (BIA) has reconsidered the Finding of No Significant Impact signed on March 24, 2004, for the proposed reconstruction of BIA Route 4 near Fort Thompson, South Dakota. This notice advises the public that the BIA intends to gather the information necessary to prepare an Environmental Impact Statement (EIS) for the reconstruction project. The purpose of the proposed action is to improve the roadway to modern safety standards. This notice also announces two public scoping meetings to identify potential issues, concerns and alternatives to be considered in the EIS.

**DATES:** Written comments on the scope and implementation of this proposal must arrive by September 2, 2005. The public scoping meetings will be held August 23 and 25, 2005, from 6 p.m. to 9 p.m., or until the last public comment is received.

**ADDRESSES:** You may mail or hand carry written comments to Marilyn Bercier, 115 4th Avenue SE., Aberdeen, South Dakota 57401.

The August 23, 2005, public scoping meeting will be held in the casino at the Lodestar Casino and Hotel, Fort Thompson, South Dakota. The August 25, 2005, public scoping meeting will be held at the Four Bears Casino and Lodge, New Town, North Dakota.

**FOR FURTHER INFORMATION CONTACT:** Marilyn Bercier, (605) 226-7645.

**SUPPLEMENTARY INFORMATION:** The BIA proposes to acquire rights-of-way and provide funding for the reconstruction of BIA Route 4 on the Crow Creek Reservation, as proposed by the Crow Creek Sioux Tribe. From Fort Thompson, South Dakota, BIA Route 4 runs about 8 miles south and east to its intersection with State Highway 50. BIA Route 4 is located in Township 106 & 107 North and Range 71 & 72 West in Buffalo County, South Dakota.

Part of the Lewis and Clark scenic byway system, the highway poses safety risks to members of the Crow Creek Sioux Tribe and the general traveling public. In addition to surface distress and deterioration throughout its length, the existing roadway has numerous other safety deficiencies, including steep side slopes, abrupt vertical and horizontal curvature, a narrow roadway surface, steep in- and back-slopes, protruding pipes, improper sight distances, and roadside obstructions. The BIA proposes that Route 4 be reconstructed to current safety guidelines.

The BIA will serve as the Lead Agency for compliance with the National Environmental Policy Act. The Crow Creek Sioux Tribe, the Advisory Council on Historic Preservation, and the Mandan, Hidatsa and Arikara Nation have been invited to participate as cooperating agencies in the preparation of the EIS.

The EIS will assess the potential effects to the human environment from the reconstruction of Route 4. Areas of concern include socio-economics, transportation, groundwater and surface water, wildlife and their habitats, cultural resources, aesthetics, land uses, health and safety, and threatened, endangered, or special-status species. The list of issues to be addressed may

expand after scoping comments are received.

#### Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the mailing address shown in the **ADDRESSES** section during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish us to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses will be made available for public inspection in their entirety.

#### Authority

This notice is published in accordance with section 1503.1 of the Council on Environmental Quality regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Principal Deputy Assistant Secretary—Indian Affairs by 209 DM 8.1.

Dated: June 16, 2005.

**Debbie L. Clark,**

*Acting Principal Deputy Assistant Secretary—Indian Affairs.*

[FR Doc. 05-14116 Filed 7-18-05; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ID-933-1430-ET; DK-G04-0003; IDI-7322]

#### Notice of Proposed Withdrawal Extensions and Public Meetings; Idaho

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

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) has filed an application proposing to extend Public Land Order Nos. 6629 and 6670 for additional 20-year terms. The Public Land Orders withdrew public lands and