

purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify compatible wildlife-dependent recreational opportunities available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will review and update the CCP at least every 15 years in accordance with the Refuge Administration Act.

#### **CCP Alternatives, Including Selected Alternative**

During our CCP planning process we identified several issues. To address these issues, we developed and evaluated the following alternatives in our draft CCP/EA.

##### *Alternative A, No Action*

Under Alternative A, we would have continued current management with no changes. This includes focusing threatened and endangered species management on protection and successful nesting. Public use programs would remain virtually unchanged. Refuge management units would remain closed to general public entry except for seasonal docent-guided tours and Special Use Permits issued on a case-by-case basis for environmental education, research, and other compatible uses. Newly acquired refuge lands would receive custodial oversight only, no habitat restoration would occur, and no additional visitor services would be provided. Both current commercial aquaculture leases would remain in effect until 2023.

##### *Alternative B, Partial Restoration and Management of Refuge Expansion Lands*

Under Alternative B, current habitat management programs focusing on wetland management for endangered waterbirds would have continued. On newly acquired refuge lands, only the highest priority wetlands and coastal dunes would be restored and fenced to exclude large predators. A Visitor Services Plan (VSP) would be developed to identify the types of compatible wildlife-oriented activities we would provide to the public as well as the sites and locations for the infrastructure needed to fully support public programs. We would also identify new special regulations in the VSP which may be needed to protect sensitive

wildlife resources, the fragile coastline, and the visiting public. During the interim period until the VSP would be prepared, the current public use program would have slight increases in opportunities for wildlife observation and photography. The refuge would participate and partner with other agencies and the community of Kahuku on projects to mitigate flood damage to the local area, if practical and feasible. Both current commercial aquaculture leases would remain in effect until 2023.

##### *Alternative C, Full Restoration and Management of Refuge Expansion Lands*

In addition to management actions identified in Alternative B, all wetlands, coastal dunes/strand, and scrub/shrub habitats would be restored and managed under Alternative C. Trial use of predator-proof fencing would be initiated on selected dune or wetland sites to protect seabirds or waterbirds. Abandoned aquaculture facilities would be cleaned up, and the habitat would be restored to natural conditions or other approved uses.

#### **Comments**

We solicited comments on the draft CCP/EA from June 30, 2011, to August 1, 2011 (76 FR 38414; June 30, 2011). We received comment letters, forms, and emails on the draft CCP/EA. To address public comments, responsive changes and clarifications were made to the final CCP where appropriate.

#### **Selected Alternative**

After considering the comments we received, we have selected Alternative C for implementation. By implementing Alternative C, we will intensively manage endangered waterbird species and their habitat at the Ki'i and Punamanō Units of the refuge with a focus on protection and successful nesting as part of the statewide effort to implement the Hawaiian Waterbird Recovery Plan. The unique and sensitive coastal sand dunes and coastal strand will be managed to protect and enhance the area for native vegetation, seabirds, other migratory birds, endangered Hawaiian monk seals, and green turtles. A VSP will be developed to identify, evaluate, and select sites for the infrastructure needed to fully implement a safe and compatible program for the public (to include roads, parking areas, trails, overlooks, *etc.*). The VSP will identify any new special regulations needed to protect sensitive wildlife resources, the fragile coastline, and the visiting public. If funded, the design and construction of a Visitor

Center/Environmental Education facility and refuge office will serve the public, students, and refuge staff.

The refuge will continue to participate and cooperate in community and interagency efforts to address flood damage reduction for the local area. We will continue to evaluate our infrastructure on the refuge, particularly on newly acquired lands, to determine if further changes can be made to help mitigate flood damages. Both current commercial aquaculture leases will remain in effect until 2023 at which time, by prior agreement, they will expire.

All wetlands, coastal dunes/strand and scrub/shrub habitats will be restored and managed. Fencing will be installed at appropriate locations throughout the refuge to reduce the devastating impacts of exotic predators on native wildlife. Additionally, the trial use of predator-proof fencing will be initiated on selected coastal dunes and/or wetland sites to protect nesting seabirds and waterbirds. Abandoned aquaculture facilities will be cleaned up. As necessary, we will work with the State to protect wildlife and standardize public use regulations on the shoreline adjacent to the refuge coastline.

Dated: November 16, 2011.

**Michael Carrier,**

*Acting Regional Director, Pacific Region, Portland, Oregon.*

[FR Doc. 2011–32390 Filed 12–16–11; 8:45 am]

**BILLING CODE 4310–55–P**

## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

**[FWS–R1–R–2011–N090;  
FXRS1265010000S3–123–FF01R06000]**

#### **Minidoka National Wildlife Refuge, Blaine, Cassia, Minidoka, and Power Counties, ID; Comprehensive Conservation Plan and Environmental Assessment**

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

**ACTION:** Notice of intent; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, intend to prepare a comprehensive conservation plan (CCP) for Minidoka National Wildlife Refuge. We will also prepare an environmental assessment (EA) to evaluate the potential effects of various CCP alternatives. We provide this notice in compliance with our CCP policy to advise the public, Federal and State agencies, and Tribes of our intentions, and to obtain public comments,

suggestions, and information on the scope of issues to consider during the planning process.

**DATES:** To ensure consideration, please send your written comments by January 31, 2012. We will announce opportunities for public input in local news media throughout the CCP planning process.

**ADDRESSES:** Send your comments or requests for more information by any of the following methods.

*Email:* jeffrey\_krueger@fws.gov.

Include "Minidoka CCP/EA" in the subject line of the message.

*Fax:* Attn: Jeffrey Krueger, Refuge Manager, (208) 436-1570.

*U.S. Mail:* Jeffrey Krueger, Refuge Manager, Minidoka National Wildlife Refuge, 961 E Minidoka Dam Road, Rupert, ID 83350-9471.

*In-Person Drop-off:* You may drop off comments during regular business hours at 961 E Minidoka Dam Road, Rupert, ID 83350-9471.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Krueger, (208) 436-3589 (phone).

**SUPPLEMENTARY INFORMATION:**

**Introduction**

With this notice, we initiate our process for developing a CCP for the Minidoka Refuge. This notice complies with our CCP policy to (1) Advise other Federal and State agencies, Tribes, and the public of our intention to conduct detailed planning on this Refuge and (2) obtain suggestions and information on the scope of issues to consider in the EA and during development of the CCP.

**Background**

*The CCP Process*

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd-668ee), as amended by the National Wildlife Refuge System Improvement Act of 1997 (Refuge Administration Act), requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. In addition to outlining broad management direction on conserving wildlife and their habitats, CCPs identify wildlife-dependent recreational opportunities that may be available to the public, including opportunities for hunting, fishing, wildlife observation and photography, and environmental education and interpretation. We will

review and update the CCP at least every 15 years in accordance with the Refuge Administration Act.

Each unit of the National Wildlife Refuge System was established for specific purposes. We use these purposes as the foundation for developing and prioritizing the management of goals and objectives for each refuge within the National Wildlife Refuge System mission, and to determine how the public can use each refuge. The planning process is a way for us and the public to evaluate management goals and objectives that will insure the best possible approach to wildlife, plant, and habitat conservation, while providing for wildlife-dependent recreation opportunities that are compatible with each refuge's establishing purposes and the mission of the National Wildlife Refuge System.

Our CCP process provides participation opportunities for Tribal, State, and local governments; agencies; organizations; and the public. At this time we encourage input in the form of issues, concerns, ideas, and suggestions for the future management of the Refuge.

We will conduct the environmental review of this project and develop an EA in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (NEPA) (42 U.S.C. 4321 et seq.); NEPA regulations (40 CFR parts 1500-1508); other appropriate Federal laws and regulations; and our policies and procedures for compliance with those laws and regulations.

*Minidoka National Wildlife Refuge*

The Refuge was established by President Theodore Roosevelt in 1909 for the purpose of serving as a refuge and breeding grounds for native birds. The Refuge is located 12 miles northeast of Rupert, ID, in the Snake River Plain, at approximately 4,200 feet in elevation. The area was historically comprised of a portion of the Snake River surrounded by an expansive sea of sagebrush, identified as the high desert. In 1904 the Bureau of Reclamation impounded the Snake River and created Lake Walcott to store water for irrigation, and provide hydroelectric power. The Refuge is primarily an overlay refuge superimposed over Bureau of Reclamation lands and waters.

The Refuge boundary extends upstream approximately 25 miles from the Minidoka Dam, along both shores of the Snake River. The Refuge encompasses approximately 20,700 acres; of that, 11,300 acres are the open waters of Lake Walcott and the Snake

River, and 9,400 acres are upland sagebrush and grassland habitats. The large expanse of open water within the arid environment attracts numerous avian species, including waterfowl, shorebirds, and wading birds. The Service has documented 243 species of birds on the Refuge, of which 85 species are known to nest within the Refuge's boundaries.

**Scoping: Preliminary Issues, Concerns, and Opportunities**

We have identified preliminary issues, concerns, and opportunities that we may address in the CCP. We have briefly summarized these issues below. During public scoping, we may identify additional issues.

- What is the Refuge's role in conserving Snake River Plain wildlife and habitat?
- What are our options for preventing the introduction and dispersal of invasive plants and animals?
- What is the most appropriate Refuge land management strategy for providing contiguous and quality habitats for focal wildlife resources?
- How can we maintain, manage, and restore the Refuge's sagebrush, wetland, and upland habitats, to support the long-term viability of native wildlife populations, and maximize habitat values for key wildlife species?
- How can the Refuge adaptively manage habitat in response to the effects of climate change?
- How can we protect the Refuge's cultural and historical resources?
- What actions should we take to minimize disturbance to nesting and migrating waterbirds and other wildlife on the Refuge?
- How can we meet increasing demands for recreational opportunities on the Refuge, and conduct quality visitor services programs in a manner that protects wildlife from disturbances?

**Public Meetings**

We will involve the public through open houses, informational and technical meetings, and written comments. We will release mailings, news releases, and announcements to provide information about opportunities for public involvement in the planning process.

**Public Availability of Comments**

Before including your address, phone number, email 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.

Dated: October 28, 2011.

**Richard R. Hannan,**

*Acting Regional Director, Region 1, Portland, Oregon.*

[FR Doc. 2011-32589 Filed 12-19-11; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2011-N243; FF08E00000-FXES11120800000F2-112]

#### Draft Environmental Impact Statement and Proposed Vernal Pool Habitat Conservation Plan for the City of San Diego, CA

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

**ACTION:** Notice of intent and announcement of a public meeting; request for comments.

**SUMMARY:** We, the Fish and Wildlife Service (Service), intend to prepare an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA) of 1969, as amended, for the proposed Vernal Pool Habitat Conservation Plan (VPHCP) under development by the City of San Diego (City). The draft EIS will evaluate the impacts of several alternatives related to the VPHCP being prepared by the City in support of the City's anticipated application for an Endangered Species Act (ESA) permit for incidental take of seven federally listed vernal pool species, from activities associated with urban development activities. We also announce plans for a public scoping meeting and the opening of a public comment period. We request data, comments, new information, or suggestions from the public, other concerned governmental agencies, the scientific community, Tribes, industry, or any other interested party.

**DATES:** To ensure consideration, please send your written comments by February 16th, 2012.

For more information, see "Public Comments" and "Reasonable Accommodation" under the **SUPPLEMENTARY INFORMATION** section.

**ADDRESSES:** To request further information or submit written comments, please use one of the following methods, and note that your information request or comment is in reference to the City of San Diego Vernal Pool HCP:

- *Fax:* Attn: Jim Bartel, Field Supervisor, (760) 431-5902.
- *U.S. Mail:* Jim Bartel, Field Supervisor, Carlsbad Fish and Wildlife Office, U.S. Fish and Wildlife Service, 6010 Hidden Valley Road, Suite 101, Carlsbad, CA 92011.
- *In-Person Drop-off:* You may drop off comments during regular business hours at the above address.

#### FOR FURTHER INFORMATION CONTACT:

Karen Goebel, Assistant Field Supervisor, by phone at (760) 431-9440, or by U.S. mail at the above address; or Jeanne Krosch, Senior Planner, City of San Diego, by phone at (619) 236-7225.

**SUPPLEMENTARY INFORMATION:** We publish this notice under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*; NEPA), and its implementing regulations in the Code of Federal Regulations (CFR) at 40 CFR 1506.6, as well as in compliance with section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*; ESA). We intend to prepare a draft environmental impact statement to evaluate the impacts of several alternatives related to the potential issuance of an incidental take permit (ITP) to the City of San Diego, as well as impacts from implementation of the supporting habitat conservation plan. The EIS will be a joint document with an environmental impact report (EIR) prepared by the City under the California Environmental Quality Act (CEQA).

The City proposes to develop a Vernal Pool HCP as part of their application for an ITP under section 10(a)(1)(B) of the ESA. The proposed VPHCP will include measures necessary to minimize and mitigate the impacts, to the maximum extent practicable, of potential proposed taking of federally listed species to be covered by the VPHCP, and the habitats upon which they depend, resulting from residential, commercial, and other development activities within the proposed plan area.

In addition to this notice, the City has publicly released a CEQA notice of preparation for its EIR via State Clearinghouse and local media. Please see <http://www.sandiego.gov/development-services/industry/pdf/infobulletin/ib401.pdf> for more information on the CEQA process.

The proposed VPHCP would establish the structure to integrate development and vernal pool conservation in the City.

The proposed VPHCP would serve as a multiple-species HCP for the City in its application for an ITP under section 10(a)(1)(B) of the ESA. If the application is approved by the Service, the City

would obtain authorization for the incidental take of certain threatened and endangered animal species ("covered species"). If the Federal permit is issued, the City could extend the permit authorization to proponents of development projects under the City's jurisdiction.

#### Background

Section 9 of the ESA prohibits taking of fish and wildlife species listed as endangered or threatened under section 4 of the Act. Under the ESA, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. The term "harm" is defined in the regulations as including significant habitat modification or degradation that results in death or injury to listed wildlife species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). The term "harass" is defined in the regulations as to carry out actions that create the likelihood of injury to listed wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns, which include, but are not limited to, breeding, feeding, or sheltering (50 CFR 17.3).

However, under specified circumstances, the Service may issue permits that allow the take of federally listed wildlife species, provided that the take is incidental to, but not the purpose of, an otherwise lawful activity. Regulations governing permits for endangered and threatened wildlife species are 50 CFR 17.22 and 17.32, respectively. The ESA's take prohibitions do not apply to federally listed plants. However, other provisions of the Act prohibit the removal or destruction of plants on non-federal lands in violation of State law.

Section 10(a)(1)(B) of the ESA contains provisions for issuing incidental take permits to non-Federal entities for the take of endangered and threatened wildlife species, provided the following criteria are met:

1. The taking will be incidental;
2. The applicants will, to the maximum extent practicable, minimize and mitigate the impact of such taking;
3. The applicants will develop a proposed HCP and ensure that adequate funding for the plan will be provided;
4. The taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and
5. The applicants will carry out any other measures that the Service may require as being necessary or appropriate for the purposes of the HCP.