segment of electric power transmission line within the right-of-way segment. All construction activities will take place within the existing 66-foot-wide utility right-of-way. The reconductoring requires the applicant to replace existing metal towers with new wooden utility poles and hang new power lines on insulators. There are 40 towers spaced between 300 and 400 feet apart that will be replaced with wooden poles. Construction activities are scheduled to occur during winter 2005 and to be completed by early spring. Incidental take will occur within the right-of-way as a result of temporary disturbance to Karner blue butterfly habitat by truck and heavy equipment traffic, cutting and removal of existing towers, boring holes for transmission line support poles, and installation of new poles. The project site does not 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 impacts of taking by creating an additional 1.4 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 Alternate Route Alternative, incidental take of the Karner blue butterfly would be authorized, and the applicant would reduce the area of impact but eliminate maintenance. By eliminating maintenance of the corridor, 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 a permit to Michigan Electric Transmission Company, LLC for the incidental take of the Karner blue butterfly from reconductoring of the Applicant’s right-of-way in Muskegon and Newaygo Counties, Michigan.

Dated: January 14, 2005.

T.J. Miller,
Acting Assistant Regional Director, Ecological Services, Region 3.

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BILLING CODE 4310–65–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of an Application for an Incidental Take Permit for the Florida Scrub-Jay Resulting From the Proposed Construction of a Single-Family Home in Charlotte County, FL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Mr. and Mrs. Glen A. Van Brunt (Applicants) request an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (U.S.C. 1531 et seq.), as amended (Act). The Applicants anticipate taking about 1.0 acre of occupied Florida scrub-jay (Aphelocoma coerulescens) (scrub-jay) nesting, foraging, and sheltering habitat, incidental to land clearing of their 5.5-acre lot and subsequent residential construction of a single-family home and supporting infrastructure in Charlotte County, Florida (Project).

The Applicants’ Habitat Conservation Plan (HCP) describes the mitigation and minimization measures proposed to address the effects of the Project on the Florida scrub-jay. These measures are outlined in the SUPPLEMENTARY INFORMATION section below. The U.S. Fish and Wildlife Service (Service) announces the availability of the HCP and the Environmental Assessment for the ITP application. Copies of the HCP may be obtained by making a request to the Service’s Southeast Regional Office (see ADDRESSES). Requests for in writing to be processed. This notice is provided pursuant to Section 10 of the Endangered Species Act and National Environmental Policy Act (NEPA) regulations (40 CFR 1506.6).

The Service specifically requests information, views, and opinions from the public via this Notice on the Federal action. Further, the Service specifically solicits information regarding the adequacy of the HCP as measured against the Service’s permit issuance criteria found in 50 CFR Parts 13 and 17.

DATES: Written comments on the ITP application, supporting documentation, EA, and HCP should be sent to the Service’s Southeast Regional Office (see ADDRESSES) and should be received on or before April 25, 2005.

ADDRESSES: Persons wishing to review the application, supporting documentation, EA, and HCP may obtain a copy by writing to the Service’s Southeast Regional Office at the address below. Please reference permit number TE095181–0 in such requests.

Documents will also be available for public inspection by appointment during normal business hours at the Southeast Regional Office, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or the Service’s South Florida Ecological Services Office, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, Florida, 32960–3559 (Attn: Field Supervisor). Written data or comments concerning the application, supporting documentation, EA, or HCP should be submitted to the Southeast Regional Office. Requests for documentation must be in writing to be processed.

Comments must be submitted in writing to be adequately considered in the Service’s decision-making process. Please reference permit number
The Florida scrub-jay (scrub-jay) is found exclusively in xeric uplands (mostly consisting of oak-dominated scrub). Increasing urban pressures are also likely to result in the continued degradation of scrub-jay habitat as well as increased urbanization. Thus, over the long term, scrub-jays are unlikely to persist in urban settings, and conservation efforts for this species should target acquisition and management of large parcels of land outside the direct influence of urbanization.

Construction of the Project’s infrastructure and facilities will result in harm to scrub-jays, incidental to the carrying out of these otherwise lawful activities. Habitat alteration associated with the proposed residential construction will reduce the availability of nesting, foraging, and sheltering habitat for a family of scrub-jays.

The Applicants propose to minimize take of scrub-jays by preserving 4.5 acres of scrub-jay habitat on their 5.5-acre lot in perpetuity. This is a 4.5:1 mitigation ratio.

The Service will evaluate the HCP and comments submitted thereon to determine whether or not to conduct a preliminary consultation. If it is determined that those requirements are met, the ITP will be issued for incidental take of the Florida scrub-jay. We will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an in-service exercise.

The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

Dated: February 9, 2005.
Noreen Walsh,
Acting Regional Director, Southeast Region.
[FR Doc. 05–3278 Filed 2–18–05; 8:45 am]
BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Draft Environmental Impact Report/Environmental Impact Statement and Receipt of an Application for an Incidental Take Permit for the Coachella Valley Multiple Species Habitat Conservation Plan, Riverside County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; reopening of public comment period.

SUMMARY: The Fish and Wildlife Service (Service) is reopening the public comment period on the Draft Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP), Draft Implementing Agreement, and Draft Environmental Impact Report/Environmental Impact Statement (EIR/