Refuge; and (14) Group All-Terrain Vehicle Ride on Northwest Fork Road All-Terrain Vehicle Trail.

Alternatives: We developed four alternatives for management of the refuge and chose Alternative 2 as the proposed action. We believe this alternative will be the most effective one to contribute to the purposes for which the refuge was established and to the mission of the National Wildlife Refuge System.

Alternative 1, also called the “No Action” alternative, is the baseline or status quo of refuge programs and is usually a continuation of current planning objectives and management strategies. The refuge currently manages its impoundments very intensively by controlling water levels and vegetation to create optimum habitat for migrating waterfowl. It also manages pine forests and marshes with prescribed fire. Waterfowl are surveyed on a routine basis. The refuge has a visitor center, which includes an auditorium and indoor and outdoor classrooms, but depends on volunteers and cooperating agency personnel to staff and maintain the center. With regard to public use, each of the six priority public uses (e.g., hunting, fishing, wildlife observation, wildlife photography, and environmental education and interpretation) is encouraged. The staff conducts a limited number of environmental education and interpretation programs.

When the planning process started, there were 7.5 full-time employees stationed at Pocosin Lakes Refuge dedicated to refuge management (two of those positions have been lost recently) and 7.5 full-time employees dedicated to fire management.

Alternative 2, the proposed action, would allow for moderate program increases to address refuge priorities. The refuge would manage its impoundments very intensively by controlling water levels and vegetation to create optimum habitat for migrating waterfowl. It would also manage pine forests and marshes with prescribed fire and would manage the vegetative composition of habitats in selected areas. Waterfowl would be surveyed on a routine basis. The staff would develop inventory plans for all species and implement them over the entire refuge. The staff would conduct forest management and hydrology restoration by contract. The volunteer program would be expanded to recruit volunteers to contribute 10,000 hours of service.

The six priority public uses would be allowed and the staff would conduct environmental education and interpretation programs to meet local needs.

Alternative 3 would allow for substantial program increases. The refuge would manage its impoundments very intensively by controlling water levels and vegetation to create optimum habitat for migrating waterfowl. It would also manage pine forests and marshes with prescribed fire and would manage the vegetative composition of habitats on the entire refuge. Waterfowl would be surveyed on a routine basis. The staff would develop inventory plans for all species and implement them over the entire refuge. The staff would develop and implement a black bear management plan. The staff would maintain the visitor center with volunteers and cooperating agency personnel supplementing refuge personnel.

There would be 25 staff members stationed at Pocosin Lakes Refuge dedicated to refuge management and 7 staff members dedicated to fire management. The refuge would conduct forest management and hydrology restoration by contract. The volunteer program would be expanded to recruit volunteers to contribute 4,000 hours of service.

The six priority public uses would be allowed and the staff would conduct environmental education and interpretation programs to meet local needs and expand outreach to the communities.

Alternative 4 would maintain the refuge in caretaker status. The refuge would manage its impoundments very intensively by controlling water levels and vegetation to create optimum habitat for migrating waterfowl. It would manage pine forests and marshes with prescribed fire. Waterfowl would be surveyed on a routine basis. Cooperating agency personnel and volunteers would staff and maintain the visitor center.

There would be 4.5 staff members stationed at Pocosin Lakes Refuge dedicated to refuge management and 7.5 staff members dedicated to fire management.

The six priority public uses would be allowed; however, the staff would not conduct any environmental education and interpretation programs.

Authority: This notice is published under the authority of the National Wildlife Refuge System Improvement Act of 1997. Public Law 105–57.


SUPPLEMENTARY INFORMATION:

Reasonable Accommodation

Persons needing reasonable accommodations in order to attend and participate in the public meeting should contact Lori Rinke at 916–414–6600 as soon as possible. In order to allow sufficient time to process requests, please call no later than one week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

Background

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, shot, 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(3)(c)]. Pursuant to section 10(a)(1)(B) of the Act, the Service may issue permits to authorize “incidental take” of listed species. “Incidental Take” is defined by the Act as that which is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing permits for threatened species and endangered species, respectively, are at 50 CFR 17.32 and 50 CFR 17.22.

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 to them under a conservation plan. All species included on an incidental take permit would receive assurances under the Service’s “No Surprises” regulation [50 CFR 17.22(b)(3) and 17.32(b)(3)].

Species proposed for coverage in the HCP are species that are currently listed as federally threatened or endangered or have the potential to become listed during the life of this HCP and have some likelihood to occur within the project area. Should any of these unlisted covered wildlife species become listed under the Act during the term of the permit, take authorization for those species would become effective upon listing. There are 14 plant species and 11 animal species covered by the HCP which are known to occur within the area. Species may be added or deleted during the course of the development of the VFHCP based on further analysis, new information, agency consultation, and public comment. Currently the following listed plant and animal species are included in the plan: California jewelflower (Caulanthus californicus), Kern mallow (Eremalche kernensis), San Joaquin woolly-thrashes (Monolopia congodonii), Bakersfield cactus (Opuntia basilaris var. treleasei), San Joaquin adobe sunburst (Pseudobahia peirsonii), blunt-nosed leopard lizard (Gambelia sila), Buena Vista Lake shrew (Sorex ornatus relictus), Tipton kangaroo rat (Dipodomys nitratoides nitratoides), giant kangaroo rat (Dipodomys ingens), and San Joaquin kit fox (Vulpers macrotis mutica). Unlisted species proposed as covered species are the following: Heartscale (Atriplex cordulata), Bakersfield smallscale (Atriplex tubulensis), Lost Hills crownscale (Atriplex undulata), Slough thistle (Crisium crassicaule), Vasek’s clarkia (Clarkia tomlorienesis sps. Caliententis), recurved larkspur (Delphinium recurvatum), Hoover’s eriastrum (Eriastrum hooveri), striped adobe-lily (Fritillaria striata), Comanche Point layia (Layia leucopappa), California horned lizard (Phrynosoma coronatum frontale), San Joaquin whipsnake (Masticophis flagellum ruddocki), LeConte’s thrasher (Toxostoma lecontei), San Joaquin antelope squirrel (Ammospermophilus nelsoni), short-nosed kangaroo rat (Dipodomys nitratoides brevianus), and American badger (Taxidea taxus).

A Memorandum of Understanding (MOU) was prepared in 1989 between the U.S. Fish and Wildlife Service, U.S. Bureau of Land Management, California Department of Fish and Game, California Energy Commission, and the California Department of Conservation Division of Oil, Gas, and Geothermal Resources to establish the Kern County Valley Floor Habitat Conservation Plan. The proposed VFHCP utilizes a conservation strategy that would provide for preservation of the best remaining natural lands while still allowing economic growth to occur in the area. The VFHCP area consists of approximately 3,110 square miles within Kern County. The boundaries are Kings and Tulare Counties to the north, up to an approximate 2,000-foot elevation contour to the south and east, and San Luis Obispo County to the west. The VFHCP area would be divided into three habitat zone categories of red, green, and white based on habitat value. Red Zones contain the highest valued conservation habitat and represent the best contiguous blocks of undisturbed or lightly disturbed habitat. Green Zones are second highest in priority classification and contain some disturbance and are important for movement of species among the Red Zones. The White Zones contain the least amount of valuable habitat and least priority for conservation.

The VFHCP 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 VFHCP area, in exchange for the assembly and management of a coordinated VFHCP area. Specifically these activities would include oil and gas development and maintenance projects, urban development and infrastructure, and development and maintenance of water delivery projects. The VFHCP would develop a program of take avoidance, minimization and mitigation, with an emphasis on preservation of the best remaining natural lands that will support viable populations and the continued existence of state and federally listed threatened or endangered species and California Species of Special Concern. The VFHCP creates a framework for complying with State and Federal listed threatened or endangered species regulations for specified species while accommodating future growth in the VFHCP area. The framework established by the VFHCP will allow for the assembly of contiguous parcels of habitat to provide viable habitat blocks and assist in the conservation of species.

Environmental Impact Statement/Report

The EIR/EIS 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 EIR/EIS. The alternatives to be considered for analysis in the EIR/EIS may include: modified lists of covered species, land coverages, and intensity of future development. The EIR/EIS will also identify potentially significant impacts on biological resources, air quality, water quality, water resources, 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 EIR/EIS 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 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 EIR/EIS. 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. 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 e-mail 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 under the law.

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