

gnatcatcher and 11 other identified federally listed animal species through issuance of an ESA incidental take permit. The NCCP/HCP, coupled with an Implementation Agreement, could also form the basis for issuing an incidental take permit for identified non-listed animal species, should these identified species be listed during the term of the permit. Although take of plant species is not prohibited under the ESA, section 9, identified plant species, both listed and unlisted, would be included on the permit in recognition of the conservation benefit provided for the species if the Service finds these species are adequately covered under the NCCP/HCP.

On March 25, 1993, the Service issued a Final Rule declaring the California gnatcatcher to be a threatened species (50 FR 16742). The Final Rule was followed by a Special Rule on December 10, 1993 (50 FR 65088) to allow take of the California gnatcatcher pursuant to section 4(d) of the ESA. The Special Rule defined the conditions under which take of the coastal California gnatcatcher resulting from specified land use activities regulated by state and local government, would not violate section 9 of the ESA. In the Special Rule the Service recognized the significant efforts undertaken by the State of California through the Natural Community Conservation Planning Act of 1991 and encouraged holistic management of listed species, like the coastal California gnatcatcher, and other sensitive species. The Service declared its intent to permit incidental take of the California gnatcatcher associated with land use activities covered by an approved subregional NCCP prepared under the NCCP Program, provided the Service determines that the subregional NCCP meets the issuance criteria of an incidental take permit pursuant to section 10(a)(1)(B) of the ESA and 50 CFR 17.32(b)(2). The Authority currently intends to obtain the Service's approval of the NCCP/HCP through a section 10(a)(1)(B) permit.

#### Proposed Action

The Service will prepare a joint EIR/EIS with the Authority, lead agency for the NCCP/HCP. The Authority will prepare an EIR in accordance with the California Environmental Quality Act. The Authority will publish a separate Notice of Preparation for the EIR.

The purpose of this subregional NCCP/HCP is to establish a long-term plan for the conservation of covered species and the habitats associated with Authority activities. The proposed NCCP/HCP will give the Authority increased regulatory certainty, and give

the Service and the CDFG increased certainty that lands will be conserved to provide regional habitat resource protection. The Authority proposes to approach project design, implementation, and maintenance in a systematic, ecologically sensitive manner which focuses on the avoidance and minimization of impacts to sensitive species and habitats that may be affected by Authority activities. Authority activities subject to the NCCP/HCP are anticipated to include certain specific development projects (such as expansion of existing reservoirs, relocation of pipelines, and construction of new pipelines and support facilities) and operation and maintenance activities necessary to ensure the proper functioning of existing and future Authority facilities.

#### Preliminary Alternatives

The EIR/EIS for the San Diego County Water Authority Subregional NCCP/HCP will assist the Service during its decision making process by enabling us to analyze the environmental consequences of the proposed action and a full array of alternatives identified during preparation of the NCCP/HCP. Although specific programmatic alternatives for the proposed action have not been prepared for public discussion, the range of alternatives preliminarily identified for consideration include:

##### *Alternative 1, No Action/Project-by-Project Authorization*

The Authority would continue to seek permits for activities that could affect listed species through continuing project-by-project review and permitting pursuant to the National Environmental Policy Act and sections 7 and 10 of the ESA and in accordance with existing habitat management efforts. The Authority would not participate in an existing NCCP/HCP nor prepare their own plan.

##### *Alternative 2, Participation in an Existing NCCP/HCP*

The Authority would participate in one or more of the existing land-use-based subregional NCCP/HCPs in the region, such as the Multiple Species Conservation Program in the southern and central portions of San Diego County, the draft Multiple Species Habitat Conservation Program in the northwestern portion of San Diego County, and/or the draft Multiple Species Habitat Conservation Plan in southwestern Riverside County.

#### Service Scoping

We invite comments from all interested parties to ensure that the full range of issues related to the permit request are addressed and that all significant issues are identified. We will conduct environmental review of the permit application in accordance with the requirements of the NEPA of 1969 as amended (42 U.S.C. 4321 *et seq.*), its implementing regulations (40 CFR parts 1500 through 1508), and with other appropriate Federal laws and regulations, policies, and procedures of the Service for compliance with those regulations. We expect a draft EIR/EIS for the San Diego County Water Authority NCCP/HCP to be available for public review during Summer 2004.

Dated: November 20, 2003.

**D. Kenneth McDermond,**

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#### DEPARTMENT OF THE INTERIOR

##### Bureau of Land Management

[WO-320-1990-FA-24 1A]

##### **OMB Approval Number 1004-0114; Information Collection Submitted to the Office of Management and Budget Under the Paperwork Reduction Act**

The Bureau of Land Management (BLM) has sent a request to extend the current information collection to the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). On January 15, 2003, the BLM published a notice in the **Federal Register** (68 FR 2071) requesting comment on this information collection. The comment period ended on March 17, 2003. BLM received no comments. You may obtain copies of the collection of information and related forms and explanatory material by contacting the BLM Information Collection Clearance Officer at the telephone number listed below.

The OMB must respond to this request within 60 days but may respond after 30 days. For maximum consideration your comments and suggestions on the requirement should be directed within 30 days to the Office of Management and Budget, Interior Department Desk Officer (1004-0114), at OMB-OIRA via facsimile to (202) 395-6566 or e-mail to [Oira.Docket@omb.eop.gov](mailto:Oira.Docket@omb.eop.gov). Please provide a copy of your comments to the Bureau Information Collection Clearance Officer