

project site is 8.1 hectares (20 acres), but the proposed project will directly impact a maximum of 1.7 hectares (4.2 acres) that may result in incidental take of the Preble's. Of the total amount of impacted acreage, 0.6 hectare (1.4 acres) will be temporarily disturbed and will be revegetated. An HCP has been developed as part of the preferred alternative. The proposed HCP will allow for the incidental take of the Preble's by permitting a commercial development and associated utilities to be constructed in an area that may be periodically used as foraging, breeding or hibernation habitat.

In addition to the Proposed Action, alternatives considered included—(a) Waiting for the Elbert County Regional HCP to be approved, (b) developing the site without avoidance of Preble's habitat, (c) developing the portion of the site that will have no impacts to Preble's habitat, and (d) no action. The draft EA analyzes the onsite, offsite, and cumulative impacts of the proposed project and all associated development and construction activities and mitigation activities on the Preble's, and also on other threatened or endangered species, vegetation, wildlife, wetlands, geology/soils, land use, water resources, air and water quality, and cultural resources. All of the proposed permanent impacts are in upland areas outside of the 100-year floodplain. The Applicant, using the Service's definition of Preble's habitat, has determined that the proposed project would impact approximately 1.7 hectares (4.2 acres) of potential Preble's habitat. The mitigation will likely provide a net benefit to the Preble's and other wildlife by planting of native shrubs and protecting existing habitat along Running Creek from any future development.

Only one federally-listed species, the threatened Preble's, occurs onsite and has the potential to be adversely affected by the project. To mitigate impacts that may result from incidental take, the HCP provides mitigation for the commercial site by protecting and enhancing 2.1 hectares (5.3 acres) of the Running Creek corridor onsite and its associated riparian areas from all future development. Approximately 0.6 hectare (1.41 acres) of temporarily disturbed grassland will be enhanced prior to construction by fencing to eliminate grazing and an additional 1.6 hectares (3.9 acres) will be enhanced native shrub planting and native grass reseeding. Measures will be taken during construction to minimize impact to the habitat, including the use of silt fencing to reduce the amount of sediment from construction activities

that reaches the creek. All of the proposed mitigation area is within the boundaries of the Elizabeth Cross Roads property, all of which is included in the drainage basin of Running Creek.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the EA/HCP, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit will be issued for the incidental take of the Preble's in conjunction with the construction of Elizabeth Cross Roads Business Park. The final permit decision will be made no sooner than 60 days after the date of this notice.

Dated: November 14, 2003.

**Ralph O. Morgenweck,**

*Regional Director, Denver, Colorado.*

[FR Doc. 03-30957 Filed 12-15-03; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### **Outer Continental Shelf (OCS), Alaska OCS Region, Beaufort Sea Oil and Gas Lease Sale 195, March 2005**

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Request for information and Notice of Intent (NOI) to prepare an Environmental Assessment.

**SUMMARY:** The Secretary's approved 5-Year OCS Oil and Gas Leasing Program for 2002-2007 provides for 3 sales: Sales 186, 195, and 202 to be held in the Beaufort Sea program area. The pre-sale process incorporated planning and analysis for all three sales. From the initial step in the process (the call for information and nominations (call)) through the final Environmental Impact Statement (EIS)/Consistency Determination (CD) step, the process covered the multiple sale proposals. However, there will be complete National Environmental Policy Act (NEPA), OCS Lands Act, and Coastal Zone Management Act coverage for each sale, and each sale will be preceded by a proposed and final notice of sale. The environmental analysis and the CD for Sale 195 will focus primarily on new issues and/or changes in the State's federally-approved coastal management plan.

The call and NOI to prepare an EIS for Sales 186, 195, and 202 was published in the **Federal Register** on September 19, 2001, at 66 FR 48268. The Beaufort Sea final EIS for Sales 186, 195, and 202

was released in February 2003 (OCS EIS/EA, MMS 2003-001). The first sale, Sale 186, was held on September 24, 2003. The MMS is now initiating a request for information for Beaufort Sea Sale 195.

**DATES:** Comments on the Request for Information and on the NOI must be received no later than 45 days following publication of this document in the **Federal Register** in envelopes labeled "Comments on the Request for Information for Beaufort Sea Sale 195" or "Comments on the NOI to Prepare an Environmental Assessment", as appropriate.

#### **FOR FURTHER INFORMATION CONTACT:**

Please call Tom Warren at (907) 271-6691 in MMS's Alaska OCS Region regarding questions on the request for information/NOI to prepare an Environmental Assessment.

**SUPPLEMENTARY INFORMATION:** The environmental analysis and the CD for Sale 195 will focus primarily on new issues that may have arisen since the completion of the EIS for Sales 186, 195, and 202 (February 2003) and on any changes that may have occurred in the State's coastal management plan. The process will lead to identification of the area to be included in the proposed notice of sale. Each of these steps, including the proposed notice of sale, provides for a public comment period. At the culmination of each step and after analysis of any public comments, the MMS will decide whether to proceed to the next step. This process will:

- Focus on the environmental analysis by revising types and levels of impacts that changed since the analysis was done for Sale 186;
- Result in any new issues being more easily highlighted by the public;
- Eliminate issuance for public review of repetitive, voluminous EISs for each sale; and
- Result in a more efficient and responsive application of the NEPA.

The MMS will analyze all comments received in response to this request for information and re-examine information previously submitted in response to the call and the draft and final EISs for Sales 186, 195, and 202. The MMS will then identify the area to be analyzed in the NEPA document.

This request for information does not indicate a decision to lease in the area described below. Final delineation of the areas for possible leasing will be made after completion of the pre-sale steps described above and in compliance with the final 5-year program and applicable laws, including