

APPENDIX A

Public Notices

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Draft Environmental Impact Report/Environmental Impact Statement and Habitat
Conservation Plan for the Natomas Basin, Sacramento County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Availability.

SUMMARY: The City of Sacramento, Sutter County, and the Natomas Basin Conservancy (the “applicants”) have applied to the Fish and Wildlife Service (Service) for 50-year incidental take permits for 22 covered species pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The applications address the potential for “take” of covered species associated with various activities within the Natomas Basin, a 53,537-acre area in the Sacramento region. These activities (the “covered activities”) include 17,500 acres of planned land development, and development and management of mitigation lands. A conservation program to minimize and mitigate for the covered activities would be implemented as described in the Natomas Basin

Habitat Conservation Plan (Plan), which would be jointly implemented by the applicants.

The permit applications, available for public review, include the Plan which describes the proposed program and mitigation, and an accompanying Implementing Agreement (legal contract).

The Service also announces the availability of a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) that addresses the environmental effects associated with issuing the permits and implementing the Plan.

The analysis provided in the Draft EIR/EIS is intended to accomplish the following: inform the public of the proposed action and alternatives; address public comments received during the scoping period; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

DATES: Written comments should be received on or before October 16, 2002.

Public meetings are scheduled as follows:

1. September 23, 2002, First Session: 4:00 p.m. to 6:00 p.m.; Second Session: 7:00 p.m. to 9:00 p.m., Sacramento, California;
2. September 25, 2002, First Session: 4:00 p.m. to 6:00 p.m.; Second Session: 7:00 p.m.

to 9:00 p.m., Yuba City, California.

ADDRESSES: Comments should be addressed to the Field Supervisor, Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Written comments may be sent by facsimile to (916) 414-6711.

The public meetings will be held at the following locations:

1. Sacramento—1231 I Street, First Floor;
2. Yuba City –Whitaker Hall, 44 Second Street.

FOR FURTHER INFORMATION CONTACT: Ms. Vicki Campbell, Chief, Conservation Planning Division, at the Sacramento Fish and Wildlife Office (see ADDRESSES); telephone: (916) 414-6600.

SUPPLEMENTARY INFORMATION

Availability of Documents

Individuals wishing copies of the applications, Draft EIR/EIS, Plan, and Implementing Agreement should immediately contact the Service by telephone at (916) 414-6600 or by

letter to the Sacramento Fish and Wildlife Office [see ADDRESSES]. Copies of the Draft EIR/EIS, Plan, and Implementing Agreement also are available for public inspection, during regular business hours, at the Sacramento Fish and Wildlife Office; the City of Sacramento Planning and Building Department, 1231 I Street, Room 300, Sacramento, California; State Library, 914 Capitol Mall, Sacramento, California; Central Library, 828 I Street, Sacramento, California; South Natomas Library, 2901 Truxel Road, Sacramento, California; and Sutter County Library, 750 Forbes Avenue, Yuba City, California.

Comments

Written comments will be received at the public meetings. Written comments also may be received after the public meetings, until the close of the comment period [see DATES]. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Background Information

Section 9 of the Act and Federal regulation prohibit the “take” of animal species listed as endangered or threatened. Take is defined under the Act as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). However, under limited circumstances, the Service may

issue permits to authorize “incidental take” of listed animal species. “Incidental take” is defined by the Act as take that is incidental to, and not the purpose of, carrying out of 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.

The applicants are seeking permits for take of the following federally listed species: the threatened giant garter snake (Thamnophis gigas), threatened valley elderberry longhorn beetle (Desmocerus californicus dimorphus), threatened vernal pool fairy shrimp (Branchinecta lynchi), endangered vernal pool tadpole shrimp (Lepidurus packardii), threatened Colusa grass (Neostapfia colusana), endangered Sacramento Orcutt grass (Orcuttia viscida), and threatened slender Orcutt grass (Orcuttia tenuis). The proposed permits would also authorize future incidental take of the currently unlisted Swainson's hawk (Buteo swainsoni), Aleutian Canada goose (Branta canadensis leucopareia), bank swallow (Riparia riparia), tricolored blackbird (Agelaius tricolor), northwestern pond turtle (Clemmys marmorata marmorata), white-faced ibis (Plegadis chihi), loggerhead shrike (Lanius ludovicianus), burrowing owl (Athene cunicularia), California tiger salamander (Ambystoma californiense), western spadefoot toad (Scaphiopus hammondi), midvalley fairy shrimp (Branchinecta mesovallensis), Boggs Lake hedge-hyssop (Gratiola heterosepala), legenere (Legenere limosa), delta tule pea (Lathyrus jepsonii ssp. jepsonii) and Sanford's arrowhead (Sagittaria sanfordii), should any of these species become listed under the Act during the life of the permit. Collectively, the 22 listed and unlisted species are referred to as the “covered species” in the Plan.

The applicants propose to minimize and mitigate the effects to covered species associated with the covered activities by participating in the Plan. The purpose of this basin-wide conservation program is to promote biological conservation in conjunction with economic and urban development within the Natomas Basin. Through the payment of development fees, one-half acre of mitigation land would be established for every acre of land developed within the various permit areas (a total of 8,750 acres of mitigation land to be acquired based on 17,500 acres of urban development). The mitigation land would be acquired and managed by the Natomas Basin Conservancy. In addition to the requirement to pay mitigation fees, the Plan also includes take avoidance and minimization measures.

The Draft EIR/EIS considers four alternatives in addition to the Proposed Action and the No Action Alternative. Under the No Action Alternative, no section 10(a)(1)(B) permits would be issued for take of listed species associated with the covered activities; the applicants would address the potential for take of listed species on a case-by-case basis. The Increased Mitigation Ratio Alternative would double the extent of required mitigation land relative to the Plan. The Habitat-Based Mitigation Alternative would prescribe mitigation based on the value of habitat to be disturbed, rather than on a general ratio applied to all lands to be disturbed. The Reserve Zone Alternative would prioritize specific areas within the Natomas Basin for acquisition, in contrast to the general acquisition strategy described in the Plan. The Reduced Potential for Incidental Take Alternative would result in reduced urban development covered by the permits, and

would therefore reduce the potential for incidental take associated with urban development.

In August 2001, (66 FR 43267), two water agencies, Reclamation District No. 1000 (RD 1000), and Natomas Central Mutual Water Company (Natomas Mutual), decided to join the City of Sacramento and Sutter County as applicants for permits and participated in drafting the Plan. At this time, RD 1000 and Natomas Mutual have chosen not to submit an application for an incidental take permit. They may decide to apply at a later time and commit to the terms of the Plan, and through issuance of a permit by the Service, join as full permittees at a future date. It should be noted that because of RD 1000 and Natomas Mutual's previous participation as potential applicants, and the possibility that they may decide to apply for a permit at some future date, the description of and analysis of the two water agencies as permittees has remained in both the Plan and the EIR/EIS. Should the water agencies apply for a permit in the future, then additional notification and documentation may be needed pursuant to the National Environmental Policy Act.

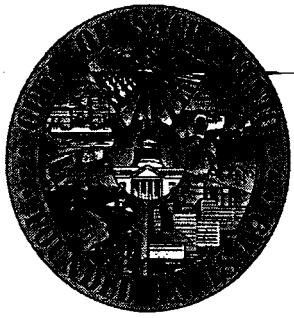
The Service invites the public to comment on the Plan and Draft EIR/EIS during a 60-day public comment period. This notice is provided pursuant to section 10(a) of the Endangered Species Act and Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6). The Service will evaluate the application, associated documents, and comments submitted thereon to prepare a Final EIR/EIS. A decision on the permit applications will be made no sooner than 30 days after

the publication of the Final EIR/EIS.

Date: _____

Deputy Manager, California/Nevada Operations Office

Sacramento, California



A Joint Public Notice of
**City of Sacramento
and
Sutter County**



DATE: August 16, 2002

TO: Responsible Agencies and Interested Persons

FROM: City of Sacramento and Sutter County

ACTION: NOTICE OF AVAILABILITY - DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT FOR THE NATOMAS BASIN HABITAT CONSERVATION PLAN

SUMMARY:

The City of Sacramento and Sutter County are lead agencies under CEQA for this project. The City of Sacramento (City), Sutter County (County) and The Natomas Basin Conservancy (TNBC) (the "applicants") have applied to the United States Fish and Wildlife Service (USFWS) for a 50-year incidental take permit for 22 covered species (both federal and state) pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The City and County intend to submit an application to the California Department of Fish and Game for an incidental take permit (ITP) under Section 2081 of the California Fish and Game Code in accordance with CESA.

The applications address the potential for "incidental take" of covered species associated with various activities within the Natomas Basin, a 53,537-acre area in the Sacramento region. These activities (the "covered activities") include 17,500 acres of planned land development, and development and management of mitigation lands. A conservation program to minimize and mitigate for the covered activities would be implemented as described in the Natomas Basin Habitat Conservation Plan (Plan), which would be jointly implemented by the applicants.

The permit application (available for public review) includes the Plan that describes the proposed program and mitigation, and an accompanying Implementation Agreement (legal contract).

NOTICE OF AVAILABILITY OF A DRAFT EIR/EIS:

The City of Sacramento (City) and Sutter County (County) announce the availability of a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) that addresses the environmental effects associated with issuing the permits and implementing the Plan. The United State Fish and Wildlife Service (The USFWS) is the lead agency for NEPA and the City and County are the lead agencies under CEQA. The City and County are noticing the release of the Draft EIR/EIS per CEQA Guidelines Section 15087. The Draft EIR/EIS is being sent to the State Clearinghouse (OPR) for review by interested state agencies, including responsible and trustee agencies under CEQA. In addition, the release of the Draft EIR/EIS is being noticed in local newspapers of general circulation and the Notice of Availability is being mailed to interested persons, groups and responsible agencies.

The analysis provided in the Draft EIR/EIS is intended to accomplish the following: inform the public of the proposed action and alternatives; identify the environmentally superior alternative; address public comments received during the scoping period; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; identify significant impacts resulting from the proposed action; identify feasible mitigation measures to reduce significant impacts; identify significant unavoidable impacts and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

The proposed permit would authorize incidental take of seven federally listed species, six state listed species and the potential future incidental take of 9 currently unlisted species for a total of 22 covered species, including one species that is a candidate for listing, if any of them become listed under the Act during the lifetime of the permits.

The Draft EIR/EIS identifies significant impacts to geology and soils, traffic, air quality, noise, biological resources, water, cultural resources and land use. Implementation of the proposed project would result in the loss of important farmlands which is considered a significant unavoidable impact. All other impacts would be mitigated to a less than significant level. The Draft EIR/EIS is being circulated for a 60 day public review period from Friday, August 16, 2002 through Monday, October 16, 2002.

DATES:

Written comments on the Draft EIR should be received **NO LATER THAN 5:00 PM, October 16, 2002**. Comments should be addressed to the Field Supervisor, United State Fish and Wildlife Service, 2800 Cottage Way, W-2605, Sacramento, California, 95825. Written comments may be sent facsimile to (916) 414-6711.

Public meetings are scheduled as follows:

- Sacramento at 1231 I Street, First Floor on September 23, 2002, Afternoon Session: 4:00 p.m. to 6:00 p.m.; Evening Session: 7:00 PM to 9:00 PM, Sacramento, CA, 95814;
- Yuba City at Whitaker Hall, 44 Second Street, on September 25, 2002, Afternoon Session: 4:00 p.m. to 6:00 PM and Evening Session: 7:00 PM to 9:00 PM, Yuba City, CA, 95991

For additional meeting information, contact Ms. Vicki Campbell, Chief, Conservation Planning Division at (916) 414-6600

FOR FURTHER INFORMATION CONTACT:

Ms. Vicki Campbell, Chief, Conservation Planning Division, United States Fish and Wildlife Office, W-2605, 2800 Cottage Way, Sacramento, California; telephone: (916) 414-6600.

SUPPLEMENTARY INFORMATION:

Availability of Documents

Individuals wishing copies of the applications, Draft EIR/EIS, Plan, and Implementation Agreement should immediately contact the USFWS by telephone at (916) 414-6600 or by letter to the Sacramento Fish and Wildlife Office. Copies of the Draft EIR/EIS, Plan and Implementation agreement are also available for public inspection, during regular business hours at the Sacramento Fish and Wildlife Office; State Library, 914 Capitol Mall, Sacramento, CA; City of Sacramento libraries located at: 828 I Street, Sacramento, CA; 1620 W. El Camino Avenue, Sacramento, CA; California State University Sacramento Library; and Sutter County Library, 750 Forbes Avenue, Yuba City, CA.

The Plan and the Draft EIR/EIS are also available for review on the City of Sacramento's website at www.cityofsacramento.org

Background Information

Section 9 of the Act and Federal regulation prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the Act as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). Under limited circumstances, however, the USFWS may issue permits to authorize "incidental take" of listed animal species. "Incidental take" is defined by the Act as

take that is incidental to, and not the purpose of, carrying out of 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.

The California Endangered Species Act (CESA) prohibits “take” of species designated as threatened and endangered, as well as species designated as candidates for listing under CESA. (Fish and Game Code, Section 2080, 2085) “Take”, for the purposes of CESA, means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. (Id., Section 86) Killing that is incidental to an otherwise lawful activity and not the primary purpose of the activity also constitutes take under CESA. (Department of Fish and Game v. Anderson-Cottonwood Irrigation District (1992) 8 Cal.App.4th 1554.) In limited circumstances, the Department may authorize take of species protected under CESA where such take is incidental to an otherwise lawful activity. Standards governing the issuance of an ITP under CESA are set forth in Section 2081, subdivisions (b) and (c) of the California Fish and Game Code, and in Section 783.4 of Title 14 of the California Code of Regulations.

The applicants are seeking permits for incidental take of the following federally listed species and state listed species: the threatened giant garter snake (Thamnophis gigas), threatened valley elderberry longhorn beetle (Desmocerus californicus dimorphus), threatened vernal pool fairy shrimp (Branchinecta lynchi), endangered vernal pool tadpole shrimp (Lepidurus packardii), threatened Colusa grass (Neostapfia colusana), endangered Sacramento Orcutt grass (Orcuttia viscida), threatened slender Orcutt grass (Orcuttia tenuis), and the threatened Swainson’s hawk (Buteo swainsoni), threatened bank swallow (Riparia riparia), and the endangered Boggs Lake hedge-hyssop (Gratiola heterosepala). The following species are also covered should any of these species become listed under the Act during the life of the permit: Aleutian Canada goose (Branta canadensis leucopareia), tricolored blackbird (Agelaius tricolor), northwestern pond turtle (Clemmys marmorata marmorata), white-faced ibis (Plegadis chihi), loggerhead shrike (Lanius ludovicianus), burrowing owl (Athene cucularia), California tiger salamander (Ambystoma californiense), western spadefoot toad (Scaphiopus hammondi), midvalley fairy shrimp (Branchinecta mesovallensis), legenere (Legenere limosa), delta tule pea (Lathyrus jepsonii ssp. jepsonii) and Sanford’s arrowhead (Sagittaria sanfordii). Collectively, the 22 listed and unlisted species are referred to as the “covered species” in the Plan.

The applicants propose to minimize and mitigate the effects to covered species associated with the covered activities by participating in the Plan. The purpose of this comprehensive conservation program is to promote biological conservation in conjunction with economic and urban development within the Natomas Basin. Through the payment of mitigation fees, one-half acre of mitigation land would be established for every acre of land developed. The proposed NBHCP and Incidental Take Permit (ITP) for the City of Sacramento would authorize development of 8,050 acres of urban uses. In turn, the proposed NBHCP requires the City of Sacramento to collect mitigation fees to support the acquisition and management of 4,025 acres of mitigation lands. Similarly, the proposed NBHCP and related ITP will authorize Sutter County to develop up to 7,467 acres of urban development and in turn, mitigation fees will be collected to support the acquisition and management of 3,733.5 acres of mitigation lands. Combined with the previously approved Metro Air Park HCP and ITP which authorized 1,983 acres of urban development, a total of 17,500 acres of development is proposed in the Natomas Basin at this time. A total of 8,750 acres of mitigation lands or reserve lands would be created. The mitigation land would be acquired and managed by the Natomas Basin Conservancy. In addition to the requirement to pay mitigation fees, the Plan also includes incidental take avoidance and minimization measures.

The Draft EIR/EIS considers four alternatives in addition to the Proposed Action and the No Action Alternative. Under the No Action Alternative, no section 10(a)(1)(B) or 2081 permits would be issued for incidental take of listed species associated with the covered activities; the applicants would address the potential for incidental take of listed species on a case-by-case basis.

- The Increased Mitigation Ratio Alternative would double the extent of required mitigation land relative to the Plan.
- The Habitat-Based Mitigation Alternative would prescribe mitigation based on the value of habitat to be disturbed, rather than on a general ratio applied to all lands to be disturbed.
- The Reserve Zone Alternative would prioritize specific areas within the Natomas Basin for acquisition, in contrast to the general acquisition strategy described in the Plan.
- The Reduced Potential for Incidental Take Alternative would result in reduced urban development covered by the permits, and would therefore reduce the potential for incidental take associated with urban development.

As a result of the analysis conducted for the Proposed Action and the alternatives, all significant impacts (except one) can be reduced to a level below significance with implementation of the conservation strategy as presented in the Plan and with additional mitigation measures outlined in the EIR/EIS. Impacts to farmland cannot be mitigated to a level below significance, and mitigation measures are proposed to reduce the magnitude of impacts to this resource.

In August 2001, (66 FR 43267), two water agencies, Reclamation District No. 1000 (RD 1000), and Natomas Central Mutual Water Company (Natomas Mutual), decided to join the City of Sacramento and Sutter County as applicants for permits and participated in drafting the Plan. At this time, RD 1000 and Natomas Mutual have chosen not to submit an application for an incidental take permit. They may decide to apply at a later time and commit to the terms of the Plan, and through issuance of a permit by the USFWS, join as full permittees at a future date. It should be noted that because of RD 1000's and Natomas Mutual's previous participation as potential applicants, and the possibility that they may decide to apply for a permit at some future date, the description of and analysis of the two water agencies as permittees have remained in both the Plan and the EIR/EIS. If the water agencies apply for a permit in the future, then additional notification and environmental documentation may be needed.

SUMMARY:

The USFWS, the City and the County invite the public to comment on the Plan and Draft EIR/EIS during a 60-day public comment period. This notice is provided pursuant to section 10(a) of the Endangered Species Act and The Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6) and the California Environmental Quality Act (CEQA) Guidelines Section 15087 and 15105. The USFWS, the City, and the County will evaluate the application, associated documents, and comments submitted thereon to prepare a Final EIR/EIS. A decision on the permit applications will be made no sooner than 30 days after the publication of the Final EIR/EIS.



**CITY OF SACRAMENTO
CALIFORNIA**

PLANNING AND
BUILDING DEPARTMENT

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

PH 916-264-5381
FAX 916-264-5328

DATE: December 18, 2000

TO: Interested Persons

FROM: Grace Hovey, Environmental Project Manager

SUBJECT: **NOTICE OF PREPARATION(NOP) TO PREPARE A DRAFT ENVIRONMENTAL
IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) FOR THE
NATOMAS BASIN HABITAT CONSERVATION PLAN (NATOMAS HCP)**

PUBLIC REVIEW PERIOD: DECEMBER 18, 2000 through JANUARY 16, 2001

Introduction

In 1997, the Natomas Basin HCP was approved by the City of Sacramento, the USFWS and CDFG. An Environmental Assessment (EA) was prepared by the USFWS for the NEPA requirement and a Negative Declaration was prepared by the City of Sacramento for the CEQA requirement. The USFWS and CDFG issued an ITP to the City of Sacramento. The HCP and ITP were subsequently challenged and on August 15, 2000 the federal court ruled that an EIS was required for the project. Based on this ruling, the City of Sacramento and Sutter County, are jointly managing the preparation on an EIR/EIS on behalf of the USFWS

An EIR/EIS is being prepared for the Natomas Basin HCP in compliance with CEQA and NEPA requirements. The United States Fish and Wildlife Service (USFWS) is the lead agency for the preparation of an EIS and the City of Sacramento and Sutter County are co-lead agencies for the preparation of an Environmental Impact Report (EIR) for the above referenced project located in the Natomas Basin as identified in Figure 3 from the Natomas HCP document and the City of Sacramento. The Natomas Basin HCP is being revised to address the issues identified in the lawsuit and the federal Judge's ruling.

The EIR/EIS will evaluate the potential environmental impacts of the Natomas Basin HCP. The Natomas Basin HCP is a conservation plan supporting application for a federal permit under Section 10(a)(1)(B) of the Endangered Species Act (ESA) and a state permit under Section 2081 of the California Fish and Game Code, i.e., an Incidental Take Permit (ITP). The purpose of the Natomas Basin HCP is to promote biological conservation along with economic development and continuation of agriculture within the Natomas Basin while allowing urban development to proceed according to local land use plans. The jurisdictions seeking approval of the

Natomas Basin HCP and an ITP are the City of Sacramento and Sutter County

CEQA Section 15082 states that, once a decision is made to prepare an EIR, the lead agency, the City of Sacramento and Sutter County are co-leads, must prepare a Notice of Preparation (NOP) to inform all responsible agencies that an EIR will be prepared. The NOP must also be sent to each governmental agency expected to be involved in approving or funding elements of the project. The purpose of the NOP is to provide sufficient information describing the project and the potential environmental effects to enable the agencies to make a meaningful response regarding the scope and content of the information which should be included in the EIR.

Corresponding with the NOP, a Notice of Intent (NOI) is being issued by USFWS for publication in the Federal Register in compliance with Section 1501.7 of the National Environmental Quality Act (NEPA). As provided for under Section 15170 of CEQA, "a lead agency may work with a federal agency to prepare a joint environmental document". The joint EIR/EIS is such a document for the Natomas Basin HCP. The NOI and NOP will be released for a 30-day public review on 12/15/00.

The NOI and NOP provide parallel opportunities for early public input and comment. Responses may be to one Notice or the other, but need not be to both. All comments to the NOP and NOI shall be incorporated into the EIR/EIS as a whole.

Project Area

The Natomas Basin HCP area is 53,341 acres bounded on the west by the Sacramento River, on the north by the Natomas Cross Canal, on the east by the Natomas East Main Drain Canal (NEMDC), and on the south by the Garden Highway. The Natomas Basin contains incorporated and unincorporated areas within the jurisdictions of the City of Sacramento, Sacramento County, and Sutter County. Please see Figure 2 from the Natomas HCP document.

Project Description

Project Purpose

The Natomas Basin HCP is a conservation plan supporting application for a federal permit under Section 10(a)(1)(B) of the Endangered Species Act (ESA) and a state permit under Section 2081 of the California Fish and Game Code, i.e., an Incidental Take Permit (ITP). The purpose of the Natomas Basin HCP is to promote biological conservation along with economic development and continuation of agriculture within the Natomas Basin while allowing urban development to proceed according to local land use plans. The City of Sacramento and Sutter County are seeking approval of the Natomas Basin HCP and an ITP from USFWS and CDFG.

Project Elements

The proposed project consists of the following elements:

- **Revised Natomas Basin HCP:** The adopted 1997 Natomas Basin HCP will be revised to address the issues in the federal court ruling of August 15, 2000 and to include specific plan elements for City of Sacramento and Sutter County.
- **Implementation Agreement:** Each participating jurisdiction will enter into an Implementation Agreement for the HCP with USFWS and the CDFG.
- **Application for Incidental Take Permit (ITP):** The participating jurisdictions shall submit an application for an ITP to USFWS and CDFG.

Project Schedule

The project is expected to be completed by July, 2001.

Approvals and/or Entitlements Required

The USFWS would take the following actions:

- Approve the Natomas Basin Habitat Conservation Plan;
- Issue an Incidental Take Permit (ITP);
- Approve Implementation Agreements with each of the participating jurisdictions.
- Adopt the EIR/EIS.

The City of Sacramento and Sutter County would take the following actions:

- Approve the Natomas Basin Habitat Conservation Plan;
- Approve the Implementation Agreement with the USFWS;
- Adopt the EIR/EIS.

Environmental Effects

The USFWS determined that an EIR/EIS should be prepared. Topical areas to be included in the EIR/EIS are identified below in addition to issues identified in the federal court ruling that must be addressed in the HCP and the EIR/EIS analysis.

- The record does not support the USFWS's finding that the Plan will minimize and mitigate the impacts of take to the maximum extent practicable with respect to the mitigation fee, mitigation land ratio, and rice farming best management practices. (Applies to Plan and ITP)
- The record does not support the "No Jeopardy" findings contained in the Biological Opinion as it applies to the ITP for the following reasons:

Funding for mitigation may not be adequate if only the City's lands are developed under the Plan;

There needs to be an analysis of the quality of City's lands as habitat for covered species;

Need a discussion of the effect on GGS if the Plan's goals of large, connected blocks of reserve lands cannot be met by the City;

The 9,000 acre midcourse review may occur too late to effect any change based on projected City development if the City is the only permittee;

Need to discuss whether the monitoring and adaptive management provisions of the Plan could be effective if the City is the sole permittee.

- The record does not support the USFWS's finding that the City will ensure adequate funding for the Plan as it applies to the ITP because the Plan does not permit retroactive fee increases resulting in funding shortfalls if other jurisdictions do not participate

Many of the issues identified in the ruling relate to the potential impacts associated with a sole ITP permittee. Therefore, issues associated with the City of Sacramento and Sutter County must also be addressed.

Topical Areas to be Considered in the EIR/EIS:

Land Use - The EIR/EIS will evaluate the project's link to future urbanization of the Natomas Basin. This discussion is specific to jurisdiction.

Conversion of Agricultural Lands - The EIR/EIS will evaluate the impact of the project on conversion of agricultural lands. The loss of agricultural land, the type of soil, its classification and its importance to the region as well as its permanent conversion to urban uses and marsh

Air Quality - The EIR/EIS will address the project's impact on regional air pollutants and their precursors as well as localized Carbon Monoxide impacts utilizing the appropriate air quality modeling tools. The analysis will address both indirect (long-term) and construction level (short-term) impacts.

Soils - Geology and soils will be addressed in the EIR/EIS at a programmatic level. Implementation of the HCP will require the disruption, compaction and overcovering of soil to create changes in topography and relief feature to create habitat. Site-specific soil-related impacts need to be addressed in site-specific management plans for each property acquired by the Natomas Basin Conservancy (NBC).

Water Quality/Water/Supply/Drainage/Flooding - The EIR/EIS will address at a programmatic level issues regarding drainage, flooding, water supply and water quality (Clean Water Act). Site specific water-related impacts will need to be addressed in site-specific management plans for each property acquired by the NBC.

Biological Resources - The HCP is designed to minimize and mitigate direct, indirect and cumulative impacts to all covered species resulting from development in the Natomas Basin. The EIR/EIS will analyze the impacts to species as a result of urban development in the Basin. The EIR/EIS will provide a more detailed and specific analysis for each covered species in accordance with new regulations and policies on HCPs as well as the Judge's opinion (e.g., "No Surprises" and the Five-Point Policy). The federal court ruling identified other biological issues to be covered in the EIR/EIS.

Cultural/Historical Resources - The EIR/EIS will identify and evaluate any potentially historic and/or archaeological impacts. The EIR/EIS will also identify and evaluate the impact of the project on the Reclamation District 1000 Historic Rural Landscape District. Consultations with the State Historic Preservation Officer and/or State Reclamation Board will be necessary should negotiations take place regarding mitigation strategies on identified potentially significant impacts. These strategies and/or mitigation measures will be discussed in the EIR/EIS.

Socio/Economic - The EIR/EIS will evaluate the amount of the mitigation fee, the uncertainty regarding increasing mitigation costs, interference with existing agriculture, and the loss of tax revenue that may occur as lands are removed from agricultural production for the purpose of creating mitigation habitat. Existing documents contain most of the necessary information to respond to these issues.

Cumulative and Growth Inducing - In accordance with CEQA and NEPA requirements, an analysis of the cumulative impacts will be undertaken and discussed in the EIR/EIS. In compliance with CEQA requirements, the EIR/EIS will address the potential for growth inducing impacts of the project focusing on whether there will be a removal of any impediments to growth associated with project.

Alternatives

The EIR/EIS will examine a range of feasible alternatives to the proposed project. Feasible alternatives will be defined by the USFWS based on the EIR/EIS analysis, public scoping meetings and workshops, and public comments received on the NOP and NOI. Alternatives that may be considered in the EIR/EIS include, but are

not limited to:

- No Action/No HCP
- No Action/Individual Permit to Each Jurisdiction
- No Action/Individual Permit - Project Specific
- Variation of Habitat Mix
- Different Mitigation Ratio
- Variation in General Plan Build-Out by Jurisdiction

Public Workshops

Several public workshops are anticipated during the NOP and NOI 30-day public comment period. The dates, times and locations of the workshops are provided below. The workshops will be noticed in the Sutter County Appeal Democrat and the Sacramento Bee newspapers.

Workshop Schedule

Sutter County Workshop:

Wednesday, January 3, 2001, 2-5 p.m.
Hot Tractor Manufacturing
Large Conference Room
7310 Pacific Avenue
Pleasant Grove, CA
(916)991-8200

City of Sacramento Workshop:

Thursday, January 4, 2001,
2-5 p.m. and 6-8 p.m.
City of Sacramento
1231 I Street, First Floor, Room 102
Sacramento, CA
(916) 264-5381

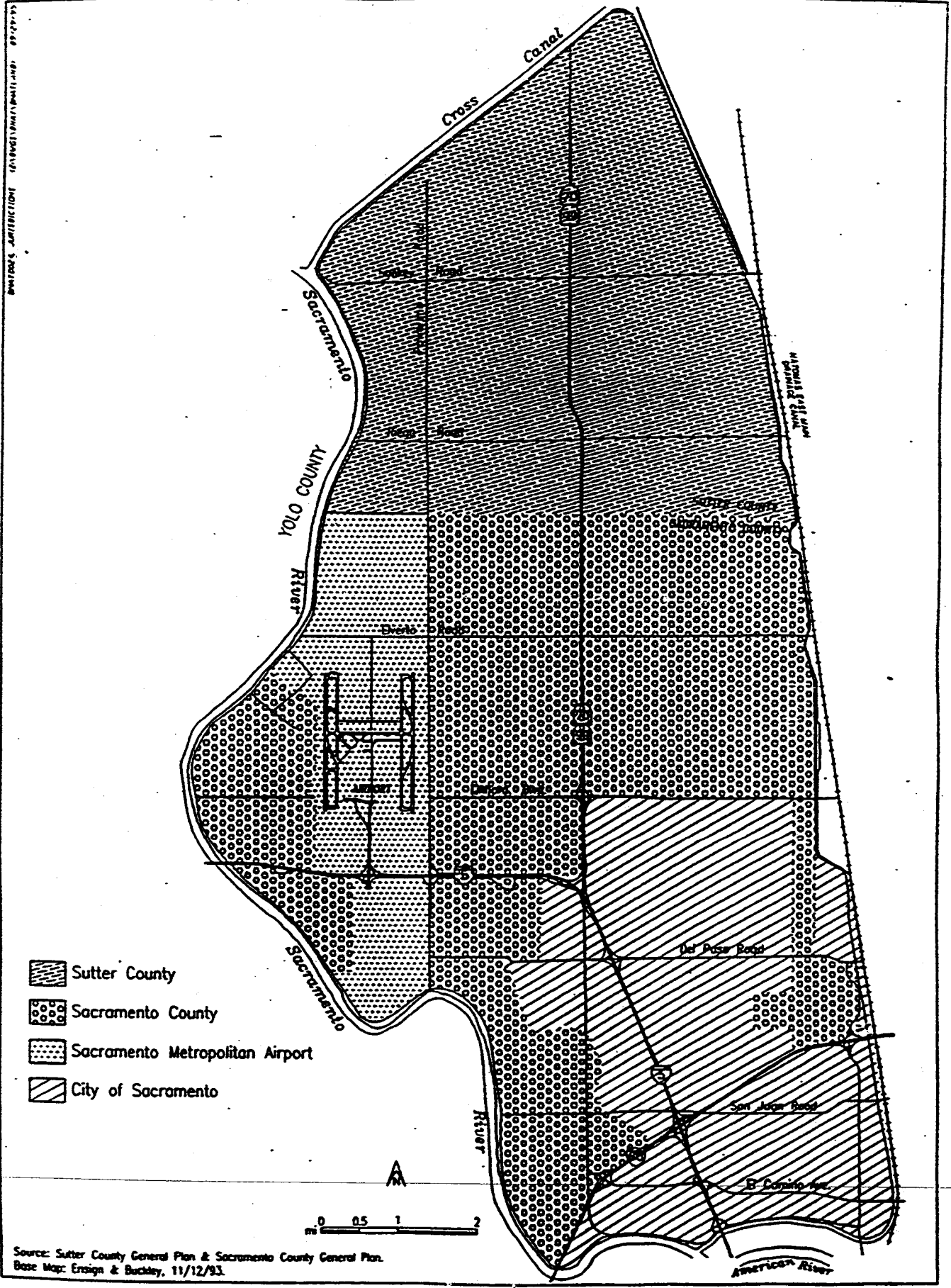
Submitting Comments

To ensure that the full range of project issues of interest to responsible government agencies and the public are addressed, comments and suggestions are invited from all interested parties. **Written comments or questions concerning the EIR/EIS for the project should be directed to either of the following addresses by 5:00 p.m. on Friday, January 16, 2001:**

City of Sacramento
ATTN: Grace Hovey
1231 I Street, Room 300
Sacramento, CA 95814
(916) 264-7601
(916) 264-7185 fax
ghovey@cityofsacramento.org

Sutter County /PMC
ATTN: Jeff Pemstein
1160 Civic Center Drive
Yuba City, CA 95993
(916) 361-8384
(916) 361-1574 fax
Jpemstein@pacificmunicipal.com

FIGURE 3: JURISDICTIONS



OMB review, in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these documents, call the SAMHSA Reports Clearance Officer on (301) 443-7978. *Substance Abuse Prevention and Treatment Block Grant Regulations*—45 CFR part 96 (OMB No. 0930-0163; Extension, no change)—This interim

final rule provides guidance to States regarding the Substance Abuse Prevention and Treatment Block Grant legislation. The rule implements the reporting and recordkeeping requirements of 42 U.S.C. 300x21-35 and 51-64 by specifying the content of the States' annual report on and application for block grant funds. The

reporting burden hours are counted towards the total burden for the Substance Abuse Prevention and Treatment Block Grant Application Format (OMB No. 0930-0080) for which separate approval is obtained. The total annual reporting and recordkeeping burden estimate is shown below:

45 CFR Citation	Number of respondents	Responses/ respondent	Hours/ response	Total hour burden
Reporting Burden				
Annual Report:				
96.122(d) ¹	60	1	0	0
96.122(f); 96.126(f)	60	1	152	9,120
96.134(d)	60	1	16	960
State Plan:				
96.122(g)	60	1	162	9,720
96.124(c)(1)	60	1	40	2,400
96.127(b)	60	1	8	480
96.131(f)	60	1	8	480
96.133(a)	60	1	80	4,800
Waivers: ²				
96.122(d)	26	1	1	26
96.124(d)	0	1	40	0
96.132(d)	0	1	16	0
96.134(b)	3	1	40	120
96.135(d)	0	1	8	8
Total Reporting Burden ³	60	1		28,106
Recordkeeping Burden				
96.129(a)(13)	60	1	16	960

¹ There was a one-time burden associated with change of the due date for the annual report effective with the FY 2001 application.

² The number of respondents per year for the waiver requests is based on actual experience over the past several years.

³ All reporting burden is associated with the annual report, State plan, and waivers is approved under OMB control number 0930-0080. Only the information collection language in the regulation and the recordkeeping burden are approved under OMB control number 0930-0163.

Written comments and recommendations concerning the proposed information collection should be sent within 30 days of this notice to: Stuart Shapiro, Human Resources and Housing Branch, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: December 11, 2000.

Richard Kopanda,

Executive Officer, SAMHSA.

[FR Doc. 00-32104 Filed 12-15-00; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Prepare an Environmental Impact Statement for Issuance of Permits, to Incidentally Take Threatened and Endangered Species, to the City of Sacramento and Sutter County in Association with a revised Natomas Basin Habitat Conservation Plan, Sacramento and Sutter Counties, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: The Fish and Wildlife Service (Service), is considering approval of a revised Natomas Basin Habitat Conservation Plan (Plan) and re-issuance of an Endangered Species Act Incidental Take Permit (Permit), under section 10(a)(1)(B) of the Endangered Species Act, to the City of Sacramento (City) and issuing a Permit to Sutter County. These municipalities have the majority of land use authority in the Natomas Basin. The permit would authorize incidental take of listed

species and unlisted species that may be listed in the future. Incidental take of listed species could occur as a result of urban development, certain on-going rice farming activities, and management of habitat reserves.

Pursuant to the National Environmental Policy Act, the Service intends to prepare an Environmental Impact Statement addressing the proposed action of approving the Plan and issuing Permits. The Plan covers the entire 53,341-acre Natomas Basin, including portions of the City and Sacramento and Sutter Counties that occur within the basin. The Environmental Impact Statement will also serve as an Environmental Impact Report under the California Environmental Quality Act. The Plan addresses the incidental take of the federally listed threatened giant garter snake (*Thamnophis gigas*), Aleutian Canada goose (*Branta canadensis leucopareia*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), the endangered vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), conservancy fairy shrimp

(*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), Colusa grass (*Neostapfia colusana*), Sacramento Orcutt grass (*Orcuttia viscida*), slender Orcutt grass (*Orcuttia tenuis*), and 16 currently unlisted species and their habitats resulting from development, certain agricultural activities, and species and habitat management actions in the Natomas Basin. The Plan includes a process for covering third party development and agricultural activities within the two jurisdictions that are carried out in conformance with the Plan.

This notice describes the proposed action and possible alternatives, invites public participation in the scoping process for preparation of the joint Environmental Impact Statement/Environmental Impact Report, solicits written comments, and identifies the Service official to whom questions and comments concerning the proposed action should be directed.

DATES: Written comments are encouraged and should be received on or before January 16, 2001.

Public Meeting: The Service, City, and Sutter County will hold public scoping meetings on January 3, 2001, 2:00 p.m. to 5:00 p.m., Holt Tractor Manufacturing, large conference room, 7310 Pacific Avenue, Pleasant Grove, California; and, January 4, 2001, 2:00 p.m. to 5:00 p.m. and 6:00 p.m. to 8:00 p.m., City of Sacramento, 1231 I Street, First Floor, Room 102, Sacramento, California. Verbal and written comments will be accepted at the meetings. For additional meeting information, contact Vicki Campbell, Division Chief, Conservation Planning at (916) 414-6600.

ADDRESSES: Information, written comments, or questions related to the preparation of the Environmental Impact Statement/Environmental Impact Report and the National Environmental Policy Act process should be submitted to Vicki Campbell, Division Chief, Conservation Planning, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825; FAX (916) 414-6713. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT: Lori Rinek or Kelly Hornaday, Fish and Wildlife Biologists, Sacramento Fish and Wildlife Office at (916) 414-6600. Persons wishing to obtain background materials should contact Grace Hovey,

City of Sacramento, 1231 I Street, Suite 300, Sacramento, California 95814 at (916) 264-7601, or Jeff Pemstein, Sutter County, 10461 Old Placerville Road, Suite 110, Sacramento, California 95827 at (916) 361-8384, extension 203.

SUPPLEMENTARY INFORMATION:

Background

Section 9 of the Act and Federal regulation prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the Act as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). However, under limited circumstances, the Service may issue permits to authorize "incidental take" of listed animal species. "Incidental take" is defined by the Act as take that 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.

Prior to adoption of the Plan and the Service's issuance of the Permit to the City in December 1997, an Environmental Assessment was prepared by the Service in accordance with the National Environmental Policy Act and a Negative Declaration was prepared by the City pursuant to the California Environmental Quality Act. A Federal court ruling on August 15, 2000, held that the Service's decisions to issue the Permit to the City and its decision not to prepare an Environmental Impact Statement for the project were arbitrary and capricious. The City and Sutter County are preparing a revised Plan for the Natomas Basin that will address the court's concerns and support the issuance of Permits to both the City and Sutter County. The goals of the Plan, as revised, are to conserve listed and unlisted species and their habitat in the basin while accommodating compatible development and certain on-going agricultural activities.

The Plan study area comprises the entire 53,341-acre Natomas Basin within both Sacramento and Sutter Counties, California. Agriculture is the dominant land use in the Natomas Basin. The predominant crops are rice, corn, sugar beets, grain, tomatoes, and pasture land. Natural and uncultivated vegetation types are interspersed throughout the agricultural areas of the Natomas Basin. Natural areas are found primarily along irrigation canals, drainage ditches, pasture lands, and uncultivated fields. Narrow strips of emergent vegetation and/or wooded riparian areas are

associated with borders of the irrigation canals and drainage ditches.

Portions of the Natomas Basin that are within the jurisdiction of the City were included in the original December 1997 Plan and Permit. The City is seeking re-issuance of its Permit for urban development activities and certain on-going rice farming activities, and Sutter County is seeking issuance of a Permit for urban development and rice farming in its portion of the Natomas Basin. In addition, a separate Permit application is under review by the Service for the Metro Air Park Property Owners Association. The Metro Air Park application proposes participation in the Basin-wide conservation program. The Metro Air Park Permit would cover the urbanization of approximately 2,000 acres of land within the Natomas Basin portion of unincorporated Sacramento County. The total acreage within the basin for which take resulting from urban development activities is being sought under the revised Natomas Basin Plan and the Metro Air Park Plan is 17,500 acres.

Under the Plan, the effects of urbanization and other activities are expected to be minimized and mitigated through the City and Sutter County's participation in a Basin-wide conservation program, which will be described in the revised Plan. The focus of this Basin-wide conservation program is the preservation and enhancement of ecological communities that support species associated with wetland and upland habitats. Through the payment of development fees, one-half acre of mitigation land is expected to be established for every acre of land developed within the Basin. The mitigation land will be acquired by the Natomas Basin Conservancy, a non-profit conservation organization established in 1998 to implement the original Plan. Mitigation fee amounts, and the mitigation and minimization strategies will be subject to the adjustment required under the Plan, as revised. The Plan also contains take avoidance and minimization measures that include the requirements for developers and landowners to conduct pre-construction surveys and to carry out minimization measures prior to site development.

The City, County, and Service have selected CH2M Hill to prepare the joint Draft Environmental Impact Statement/Environmental Impact Report. The Environmental Impact Statement will be prepared in compliance with the National Environmental Policy Act and the Environmental Impact Report will be prepared in compliance with the California Environmental Quality Act.

Although CH2M Hill will prepare the Draft Environmental Impact Statement/ Environmental Impact Report, the Service will be responsible for the scope and content of the Environmental Impact Statement, and the City and County will be responsible for the scope and content of the Environmental Impact Report.

The Environmental Impact Statement/ Environmental Impact Report will consider the proposed action (issuance of section 10(a)(1)(B) Endangered Species Act permits to the City and Sutter County), and a reasonable range of alternatives as summarized below. Plan components related to the court's ruling that will be addressed, include the following:

1. The Plan's mitigation fee structure, mitigation land ratio, and rice farming best management practices;
2. The viability of the Plan if fewer than all of the three jurisdictions with land in the basin participate in the Plan with respect to mitigation fees, the quality and location of habitat that would be lost and preserved under the Plan, and the impacts to the covered species and their habitats;
3. Analysis of the species and the quality, quantity and location of habitat within each jurisdiction;
4. Analysis of the effect on giant garter snakes if the Plan's goals of large, connected blocks of reserve lands cannot be met, and the design of a process to be built into the plan to assure its habitat goals are achieved;
5. Analysis of the midcourse review procedure incorporated into the plan to respond to new information and address implementation issues if the City (or Sutter County) is the only permittee; and
6. Analysis of the effectiveness of the monitoring and adaptive management provisions of the Plan if the City (or Sutter County) is the sole permittee.

Potential alternatives may include a decreased development alternative, an increased mitigation ratio alternative, and a No Action alternative. Under the No Action alternative, the Service would not issue section 10(a)(1)(B) permits to the City and Sutter County in the Natomas Basin.

Environmental review of the revised Plan will be conducted in accordance with the requirements of the 1969 National Environmental Policy Act, as amended (42 U.S.C. 4321 *et seq.*), National Policy Act 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 section 1501.7 of the National Environmental Policy Act to obtain

suggestions and information from other agencies and the public on the scope of issues to be addressed in the Environmental Impact Statement/ Environmental Impact Report.

Comments and participation in the scoping process are hereby solicited. The 1997 Plan, upon which the revised Plan is based, was subject to extensive public review. However, because of likely changes in the Plan, including addition of the benefits of the "No Surprises" regulation (63 FR 8859) and the Services' "Five-Point Policy" (65 FR 35242), additional public review and input is being sought.

The primary purpose of the scoping process is to identify, rather than to debate, significant issues related to the proposed action. Interested persons are encouraged to provide comments on the scope of issues and alternatives to be addressed in the Draft Environmental Impact Statement/ Environmental Impact Report.

Dated: December 11, 2000.

Elizabeth H. Stevens,

Deputy Manager, Region 1, California/Nevada Operations Office, Sacramento, California.

[FR Doc. 00-32095 Filed 12-15-00; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WO-220-1050-PF-01-24 1A]

Extension of Approved Information Collection, OMB Number 1004-0182

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is announcing its intention to request extension of an existing approval to collect certain information from Alaska Natives interested in conducting reindeer grazing activities on BLM administered lands. This information allows BLM to begin the assessment of the compatibility of reindeer grazing on public lands with multiple-use objectives (43 CFR 4300).

DATES: You must submit your comments to BLM at the appropriate address below on or before February 16, 2001. BLM will not necessarily consider any comments received after the above date.

ADDRESSES: Comment may be mailed to: Regulatory Affairs Group (630), Bureau of Land Management, 1849 C Street NW, Room 401LS, Washington, DC 20240.

Comments may be sent via Internet to: WOCComment@blm.gov. Please include "ATTN: 1004-0182" your name and return address in your Internet message.

Comments may be hand-delivered to the Bureau of Land Management, Administrative Record, Room 401, 1620 L Street, NW, Washington, DC.

Comments will be available for public review at the L Street address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Larry Field, BLM Northern Field Office, on (907) 474-2343 (Commercial or FTS). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8330, 24 hours a day, seven days a week, to contact Mr. Field.

SUPPLEMENTARY INFORMATION: 5 CFR 1320.12(a) requires BLM to provide 60-day notice in the *Federal Register* concerning a collection of information contained in regulations found in 43 CFR 2812 to solicit comments on (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. BLM will receive and analyze any comments sent in response to this notice and include them with its request for approval from the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

The Act of September 1, 1937 (50 Stat. 900; 25 U.S.C. 500 *et seq.*) authorizes the Secretary of the Interior to manage the reindeer industry in Alaska to maintain a self-sustaining industry for Natives of Alaska. The Act also authorizes the Secretary to issue permits to those Natives for grazing reindeer on public lands. The implementing regulations at 43 CFR 4300 authorize Alaska Natives to apply to BLM for permits to graze reindeer and to construct improvements on the land.

The Grazing Lease or Permit Application (Form 4210-1) and the Reindeer Grazing Permit (Form 4132-2)



CITY OF SACRAMENTO
CALIFORNIA

PLANNING AND
BUILDING DEPARTMENT

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

PH 916-264-5381
FAX 916-264-5328

DATE: August 17, 2001

TO: Interested Persons

FROM: Grace Hovey, Environmental Project Manager

SUBJECT: **REVISED NOTICE OF PREPARATION(NOP) TO PREPARE A DRAFT ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) FOR THE NATOMAS BASIN HABITAT CONSERVATION PLAN (NATOMAS BASIN HCP)**

SCH#: 1997062064

PUBLIC REVIEW PERIOD: August 17, 2001 through September 17, 2001

Introduction

The NOP for this proposed action is being revised to include Reclamation District No. 1000 (RD 1000) as a co-lead agency under CEQA, representing itself and Natomas Central Mutual Water Company (NCMWC), to prepare the EIR/EIS for the revised Natomas Basin HCP and to request issuance of permits by the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (DFG). Revisions to the proposed action as a result of including RD 1000 as a co-lead agency and NCMWC as an applicant are described below.

Summary of Project Revisions

On December 18, 2000, the City of Sacramento and Sutter County issued an NOP to prepare an EIR/EIS for the USFWS to consider the revised Natomas Basin HCP and issuance of Incidental Take Permits (ITPs) under Section 10(a)(1)(B) of the Endangered Species Act, and for DFG to consider issuing permits under Section 2081 of the California Fish and Game Code. At that time, the USFWS was considering amending the ITP for the City of Sacramento and issuing an ITP to Sutter County. RD 1000 and NCMWC have now joined the City of Sacramento and Sutter County as applicants for ITPs. RD 1000 plans to participate as a co-lead agency with the City of Sacramento and Sutter County and would encompass the operations and maintenance activities of both itself and NCMWC. In addition, Sacramento County may also apply for an ITP.

The ITPs would authorize incidental take of listed species and unlisted species that may be listed in the future. The original scope for the EIR/EIS was to consider incidental take occurring as a result of urban development within the City of Sacramento and Sutter County, certain farming activities, and management of habitat reserves. Take resulting from Sacramento County's activities is anticipated to be similar in scope to that resulting from City of Sacramento and Sutter

County activities described above. With the proposed addition of the RD 1000 and NCMWC ITPs, the EIR/EIS will also consider incidental take associated with RD 1000's and NCMWC's operation and maintenance of water delivery and drainage canals and ditches, as well as the previously identified urban development, farming activities, and management of habitat reserves.

Corresponding with the revised NOP, a revised Notice of Intent (NOI) is being issued by USFWS for publication in the Federal Register in compliance with Section 1501.7 of the National Environmental Quality Act (NEPA). As provided for under Section 15170 of CEQA, "a lead agency may work with a federal agency to prepare a joint environmental document." The joint EIR/EIS is such a document for the Natomas Basin HCP. The prior NOI and NOP were circulated from December 18, 2000 through January 16, 2001, and the lead agencies conducted three public scoping meetings in the vicinity during the NOP/NOI comment period. This notice reopens the scoping process because the project description has been changed to include the participation of RD 1000 and NCMWC, and written comments are being solicited for the EIR/EIS regarding the inclusion of RD 1000 and NCMWC.

The NOI and NOP provide parallel opportunities for early public input and comment. Responses may be to one Notice or the other, but need not be to both. Comments previously submitted during the initial scoping period will be addressed in the EIR/EIS, as appropriate.

Submitting Comments

To ensure that the full range of project issues of interest to responsible government agencies and the public are addressed, comments and suggestions are invited from all interested parties. **Written comments** concerning the EIR/EIS for the project should be directed to the following address by **5:00 p.m. on September 17, 2001**. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

Vicki Campbell
Division Chief, Conservation Planning
U.S. Fish and Wildlife Service
Sacramento Fish and Wildlife Service Office
2800 Cottage Way, W-2605
Sacramento, CA 95825

FAX#: (916) 414-6713

Additional Information

Additional information can be obtained from the City of Sacramento [Grace Hovey, (916) 264-7601], Sutter County [Jeff Pemstein, (916) 361-8384], RD 1000 [Jim Clifton, (916) 922-9173], NCMWC [Peter Hughes (916) 419-5936], and the USFWS [Lori Rinek or Kelly Hornaday, (916) 414-6600].

comment letters were received on the Draft Environmental Impact Statement. A response to each comment received in these letters has been included in the Final Environmental Impact Statement.

The Final Environmental Impact Statement considers four alternatives, including the Proposed Action and the No-Action/No Take Alternative. Under the No-Action/No Take Alternative, no section 10(a)(1)(B) permit would be issued for take of listed species during urban development and other activities in the Plan area. Landowners within the Plan area would continue to apply for individual incidental take permits on a case-by-case basis, resulting in piecemeal planning that would establish smaller and more isolated patches of mitigation land. This could result in cumulatively significant adverse impacts to those species which would benefit from larger tracts of interconnected habitats.

The Increased Mitigation Ratio Alternative examines the environmental effects of applying a higher mitigation ratio than is required under the Natomas Basin Habitat Conservation Plan and the proposed Plan for addressing impacts to the giant garter snake and the Swainson's hawk. This alternative would require a site-specific analysis of habitat values in order to determine specific mitigation obligations.

The Reduced Development Alternative would result in reduced development of the Metro Air Park site. The 18-hole golf course situated on approximately 279 acres would be reduced to a 140-acre 9-hole golf course. This would reallocate 140 acres on-site for the creation of habitat as a mitigation area for covered species. Because an on-site mitigation area would eventually be surrounded by urban development it should be anticipated that adverse urban "edge effects" will occur.

The analysis provided in the Final Environmental Impact Statement is intended to accomplish the following: inform the public of the proposed action and alternatives; address public comments received on the Draft Environmental Impact Statement; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

Dated: August 3, 2001.

John Engbring,

Acting Deputy Manager, California/Nevada Operations Office, Sacramento, California.

[FR Doc. 01-20068 Filed 8-16-01; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Revised Notice of Intent to Prepare an Environmental Impact Statement for Issuance of Permits, to Incidentally Take Threatened and Endangered Species, to the City of Sacramento, Sutter County, Reclamation District No. 1000, and Natomas Central Mutual Water Company in Association With a Revised Natomas Basin Habitat Conservation Plan, Sacramento and Sutter Counties, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Revised notice of intent.

SUMMARY: On December 18, 2000, the Fish and Wildlife Service (Service) issued a Notice of Intent (NOI) regarding an Environmental Impact Statement for a revised Natomas Basin Habitat Conservation Plan (Plan) and Incidental Take Permits (Permits) under section 10(a)(1)(B) of the Endangered Species Act. At that time, the Service was considering amending the Permit for the City of Sacramento and issuing a Permit to Sutter County. Reclamation District No. 1000 (RD 1000) and Natomas Central Mutual Water Company (Natomas Mutual) have now joined the City of Sacramento and Sutter County as applicants for Permits. RD 1000 plans to participate as a co-lead agency with the City of Sacramento and Sutter County. In addition, Sacramento County may also apply for a Permit.

The Permits would authorize incidental take of listed species and unlisted species that may be listed in the future. The original scope of the Environmental Impact Statement, as described in the December 18, 2000 NOI, was to consider incidental take occurring as a result of urban development within the City of Sacramento and Sutter County, certain farming activities, and management of habitat reserves. Take resulting from Sacramento County is anticipated to be similar in scope to the City of Sacramento and Sutter County. With the proposed addition of the RD 1000 and Natomas Mutual Permits, the Environmental Impact Statement will also consider incidental take associated with RD 1000's and Natomas Mutual's operation and maintenance of water delivery and drainage canals and ditches, as well as the previously identified urban development, farming activities, and management of habitat reserves.

Pursuant to the National Environmental Policy Act, the Service

intends to prepare an Environmental Impact Statement addressing the proposed action of amending the Plan and issuing Permits. This Environmental Impact Statement will be prepared jointly with an Environmental Impact Report pursuant to the California Environmental Quality Act. Pursuant to the prior NOI, the Service conducted public scoping from December 18, 2000 to January 16, 2001, including three meetings in the project vicinity. This notice reopens the scoping process and solicits written comments because the project description has changed to include the participation of RD 1000 and Natomas Mutual. Comments previously submitted during the initial scoping period will be addressed in the Environmental Impact Report/Environmental Impact Statement.

DATES: Written comments are encouraged and should be received on or before September 17, 2001.

ADDRESSES: Information, written comments, or questions related to the inclusion of RD 1000 and Natomas Mutual into the Plan and Environmental Impact Report/Environmental Impact Statement should be submitted to Vicki Campbell, Division Chief, Conservation Planning, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825; FAX (916) 414-6713. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT: Lori Rinek or Kelly Hornaday, Fish and Wildlife Biologists, Sacramento Fish and Wildlife Office at (916) 414-6600. Additional information can also be obtained from the City of Sacramento [Grace Hovey, (916) 264-7601], Sutter County [Jeff Pemstein, (916) 361-8384], RD 1000 [Jim Clifton, (916) 922-9173], and Natomas Mutual [Peter Hughes, (916) 419-5936].

Dated: August 10, 2001.

Daniel Walsworth,

Deputy Manager, California/Nevada Operations Office, Sacramento, California.

[FR Doc. 01-20696 Filed 8-16-01; 8:45 am]

BILLING CODE 4310-55-P