

the EIS. Oral and written comments will be accepted at the meetings. Comments can also be submitted to persons listed in the addresses section above.

Once the draft EIS and draft HCP are completed and noticed for review, there will be additional opportunity for public comment on the content of these documents through an additional public hearing and comment period.

Alternatives

The proposed action presented in the draft EIS will be compared to the No-Action alternative. The No-Action alternative represents estimated future conditions to which the proposed action's estimated future conditions can be compared.

No-Action Alternative

Under the no action alternative, the management and use of the Edwards Aquifer and the use of areas associated with the Comal and San Marcos springs would continue regardless of whether a 10(a)(1)(B) permit is sought or issued. The Applicant(s), and those potentially covered by the permit, would continue to be subject to the take prohibition of the ESA. Where potential impacts could not be avoided, and where a Federal nexus exists, measures designed to minimize and mitigate for the impacts would be addressed through individual formal or informal consultation with the Service. In the absence of a Federal nexus, the Applicant(s), and other parties in the region taking actions that would affect the protected species, would potentially need individual section 10(a)(1)(B) incidental take permits on a project-by-project basis if activities might result in the incidental take of a Federally protected species within the proposed permit area. This project-by-project approach would be more time-consuming, less efficient, and could result in an isolated independent mitigation approach, which might be less beneficial to the covered species than a regional permit.

Proposed Alternative

The proposed action is the issuance of an incidental take permit for the covered species within the proposed permit area for a period of between 20 and 50 years. The proposed HCP, which must meet the requirements in section 10(a)(2)(A) of the Act by providing measures to minimize and mitigate the effects of the potential incidental take of covered species to the maximum extent practicable, would be developed and implemented by the Applicant(s). This alternative could allow for a comprehensive mitigation approach for unavoidable impacts and also reduce

the permit processing effort for the Service.

The actions to be covered under the requested incidental take permit have yet to be determined. They may include general activities associated with the management of the Aquifer, pumping from the Aquifer, actions to protect spring flow, land stewardship, and recreational activities at and near the San Marcos and Comal springs. Construction activities covered for new facilities may include construction of recharge structures, well fields, pipelines, and related types of activities.

The Applicant(s) expects to apply for an incidental take permit for seven species listed as endangered or threatened within the permit area. These species include: Fountain darter (*Etheostoma fonticola*), San Marcos salamander (*Eurycea nana*), San Marcos gambusia (*Gambusia georgei*), Texas blind salamander (*Eurycea rathbuni*), Peck's cave amphipod (*Stygobromus pecki*), Comal Springs dryopid beetle (*Stygoparnus comalensis*), and the Comal Springs riffle beetle (*Heterolemis comalensis*). Other species that are currently not listed as threatened or endangered may also be covered. The Service will also evaluate possible impacts to species not listed here, such as the whooping crane.

Counties that may be included in the proposed permit area are those counties within the EAA's jurisdiction to manage the Edwards Aquifer including all, or portions of, eight counties, including Atascosa, Bexar, Caldwell, Comal, Guadalupe, Hays, Medina and Uvalde counties. Moreover, EAA's organic legislation establishes a five-mile buffer beyond the jurisdictional boundary, reflecting the existence of a contributing zone to the aquifer recharge area, in which EAA has authority to protect water quality. Consequently, the permit area may also include the eight counties within the EAA's jurisdiction proper and the portions of the counties that contain the EAA's jurisdictional five-mile buffer located over the Edwards Aquifer contributing zone.

Species not covered by the proposed incidental take permit may also be addressed in the draft HCP. These species may include candidate species and Federally listed species not likely to be affected by the covered activities. The purpose of addressing the additional species is to explain why the Applicant believe(s) these species will not be impacted by the covered activities.

Other alternatives considered will also be addressed in the draft EIS, including impacts associated with each

alternative evaluated will be discussed in the draft EIS.

Public Availability of Comments

Comments we receive become part of the public record associated with this action. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that the entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

Environmental Review

The Service will conduct an environmental review to analyze the proposed action, as well as other alternatives evaluated and the associated impacts of each. The draft EIS will be the basis for the impact evaluation for each species covered and the range of alternatives to be addressed. The draft EIS is expected to provide biological descriptions of the affected species and habitats, as well as the effects of the alternatives on other resources such as vegetation, wetlands, wildlife, geology and soils, air quality, water resources, water quality, cultural resources, land use, recreation, water use, local economy, and environmental justice.

Following completion of the environmental review, the Service will publish a notice of availability and a request for comment on the draft EIS and the Applicant(s)' permit application, which will include the draft HCP. The draft EIS and draft HCP are expected to be completed and available to the public in September 2011.

Thomas L. Bauer,
Acting Regional Director, Region 2,
Albuquerque, New Mexico.

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Availability of a Draft Environmental Impact Statement for Cape Hatteras National Seashore

AGENCY: National Park Service, Interior.

ACTION: Notice of Availability of a Draft Environmental Impact Statement for Cape Hatteras National Seashore.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service (NPS) announces the availability of a Draft Environmental Impact Statement for the Cape Hatteras National Seashore (Seashore) Off-Road Vehicle Management Plan (Plan/EIS). The Plan/EIS evaluates the impacts of several alternatives for regulations and procedures that would manage off-road vehicle (ORV) use/access in the Seashore to protect and preserve natural and cultural resources and natural processes, to provide a variety of visitor use experiences while minimizing conflicts among various users, and to promote the safety of all visitors. Executive Order 11644 of 1972, amended by Executive Order 11989 of 1977, requires certain Federal agencies permitting ORV use on agency lands to publish regulations designating specific trails and areas for this use. Title 36, section 4.10 of the Code of Federal Regulations implements the executive orders by providing that routes and areas designated for off-road vehicle use shall be promulgated as special regulations.

DATES: The NPS will accept comments on the Plan/EIS for 60 days following publication by the Environmental Protection Agency (EPA) of the Notice of Availability of the Draft Environmental Impact Statement. After the EPA Notice of Availability is published, the NPS will schedule hearing-style public meetings during the comment period. Dates, times, and locations of these meetings will be announced in press releases, e-mail announcements and on the NPS Planning, Environment and Public Comment (PEPC) Web site for the project at <http://parkplanning.nps.gov/caha>.

ADDRESSES: Copies of the Plan/EIS will be available for public review at <http://parkplanning.nps.gov/caha>. A limited number of hard copies are available at the Seashore headquarters, 1401 National Park Drive, Manteo, North Carolina 27954, or a copy may be requested, as long as supplies last, from Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954. Copies will be provided to local libraries in Manteo, Kill Devil Hills, Hatteras Village and Ocracoke, North Carolina.

SUPPLEMENTARY INFORMATION: This plan/EIS evaluates the impacts of two no-action (alternatives A and B) and four action alternatives (alternatives C, D, E and F). Alternative A would manage ORV use and access at the Seashore

based on the 2007 Finding of No Significant Impact (FONSI) for the Cape Hatteras National Seashore Interim Protected Species Management Strategy/EA and the Superintendent's Compendium 2007, as well as elements from the 1978 draft interim ORV management plan that were incorporated in Superintendent's Order #7. Alternative B would manage ORV use in the same manner as alternative A, except as modified by the consent decree, as amended, which has been in effect at the Seashore since 2008. Alternative C would provide visitors to the Seashore with a degree of predictability regarding areas available for ORV use, as well as vehicle-free areas, based largely on the seasonal resource and visitor use characteristics of various areas in the Seashore. Under alternative D, visitors to the Seashore would have the maximum amount of predictability regarding areas available for ORV use and vehicle-free areas for pedestrian use with most areas having year-round, rather than seasonal designations. Restrictions would be applied to larger areas over longer periods of time to minimize changes in designated ORV and non-ORV areas over the course of the year. Alternative D is the environmentally preferable alternative. Alternative E would provide for additional flexibility in access for both ORV and pedestrian users, including allowing some level of overnight vehicle use at selected points and spits. Where greater access is permitted, often additional controls or restrictions are in place to limit impacts on sensitive resources. The level of access provided under alternative F is similar to alternative E, but with different limitations on allowable times and dates of ORV access. Alternative F is the NPS Preferred Alternative.

If you wish to comment electronically, you may submit your comments online in the PEPC Web site by visiting <http://parkplanning.nps.gov/caha>, clicking on *open for comment, clicking on the Off-Road Vehicle Management Plan/EIS, and then clicking on Comment on Document. NPS encourages commenting electronically through PEPC. If you wish to submit your written comments in hard copy (e.g. in a letter), you may send them by U.S. Postal Service or other mail delivery service or hand-deliver them to: Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Drive, Manteo, North Carolina 27954. Oral statements and written comments will also be accepted during the hearing-style public meetings. Comments will

not be accepted by fax, e-mail, or in any other way than those specified above. Bulk comments in any format (hard copy or electronic) submitted on behalf of others will not be accepted. Before including your address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

FOR FURTHER INFORMATION CONTACT: Mike Murray, Superintendent, Cape Hatteras National Seashore, 1401 National Park Road, Manteo, North Carolina 27954, 252-473-2111, extension 148.

Dated: February 3, 2010.

Gordon Wissinger,

Acting Regional Director, Southeast Region.

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DEPARTMENT OF THE INTERIOR

National Park Service

Fire Management Plan, Final Environmental Impact Statement, Record of Decision, Grand Canyon National Park, AZ

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of Availability of a Record of Decision on the Final Environmental Impact Statement for the Fire Management Plan, Grand Canyon National Park.

SUMMARY: Pursuant to the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C), the National Park Service announces the availability of the Record of Decision for the Fire Management Plan, Grand Canyon National Park, Arizona. On January 12, 2010, the Regional Director, Intermountain Region, approved the Record of Decision for the project. As soon as practicable, the National Park Service will begin to implement the Preferred Alternative contained in the FEIS issued on August 7, 2009.

The document describes and analyzes the environmental impacts of several action alternatives, including the preferred alternative for management of fire in Grand Canyon National Park. The preferred alternative analyzes the use of prescribed fire, wildland fire use, suppression fire, and manual and