

imposed for the protection of the environment.

(5) Approval of the HCPs would not establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

The Service, therefore, has made a preliminary determination that approvals of the HCPs qualify as categorical exclusions under NEPA, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. The Service will consider public comments in making its final determination on whether to prepare such additional documentation.

Public Review and Comment

We will evaluate the permit applications, HCPs, and comments submitted thereon to determine whether the applications meet the requirements of section 10(a) of the Act. If we determine that the applications meet those requirements, we will issue the ITPs for incidental take of the Mount Hermon June beetle. We will also evaluate whether issuance of the section 10(a)(1)(B) ITPs complies with section 7 of the Act by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in the final analysis to determine whether or not to issue the ITPs.

If you wish to comment on the permit applications, draft Environmental Action Statements or the proposed HCPs, you may submit your comments to the address listed in the **ADDRESSES** section of this document. Our practice is to make comments, including names, home addresses, etc., of respondents available for public review. Individual respondents may request that we withhold their names and/or home addresses, etc., but if you wish us to consider withholding this information you must state this prominently at the beginning of your comments. In addition, you must provide a rationale demonstrating and documenting that disclosure would constitute a clearly unwarranted invasion of privacy. In the absence of exceptional, documented circumstances, this information will be released. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety.

The Service provides this notice pursuant to section 10(c) of the Act and

pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: September 29, 2008.

Diane K. Noda,

Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Big Sandy Casino and Resort Project, Fresno County, CA

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) has replaced the National Indian Gaming Commission (NIGC) as lead agency in the preparation of an Environmental Impact Statement (EIS) for a proposed casino and hotel project to be located near Friant, in Fresno County, California. The BIA, with the Big Sandy Rancheria Band of Western Mono Indians (Tribe) as a cooperating agency, intends to gather information necessary for preparing the EIS. The NIGC initiated the public scoping process, including a public scoping meeting on September 15, 2005, to determine the issues, concerns and alternatives to be included in the EIS. The BIA is hereby continuing that process, but as project plans have not changed since the September 15, 2005, meeting, will not be holding additional public scoping meetings.

DATES: Written comments on the scope and implementation of this proposal must arrive by November 4, 2008.

ADDRESSES: You may mail or hand carry written comments to Dale Morris, Regional Director, Pacific Regional Office, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, CA 95825. Please include your name, return address and the caption "DEIS Scoping Comments, Big Sandy Casino and Resort Project, Fresno County, California," on the first page of your written comments.

FOR FURTHER INFORMATION CONTACT: John Rydzik, (916) 978-6051.

SUPPLEMENTARY INFORMATION: The proposed project will be located east of Friant in Fresno County, California, on undeveloped foothill property comprising approximately 48 acres of allotted Indian land currently held in trust by the United States for the

beneficial interest of an individual member of the Tribe. The Tribe and the individual Indian allottee have executed and submitted for BIA approval a lease agreement granting use of the property to the Tribe for the development of a casino, resort hotel, and supporting facilities. The BIA's proposed federal action is the approval of this lease agreement.

The Big Sandy Rancheria is a federally recognized Indian Tribe with a land base near Auberry, California. The Tribe has approximately 450 members and is governed by a Tribal Council consisting of five members, under a federally approved constitution. The Big Sandy Rancheria currently has a federally approved tribal-state gaming compact with the State of California.

Public Comment Availability

Comments, including names and addresses of respondents, will be available for public review at the mailing address shown in the **ADDRESSES** section, during regular business hours, 8 a.m. to 4:30 p.m., Monday through Friday, except holidays. Before including your address, telephone 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.

Authority

This notice is published in accordance with sections 1501.7 and 1506.6 of the Council of Environmental Quality regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4371 *et seq.*), the Department of the Interior Manual (516 DM 1-6), and is in the exercise of authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.1.

Dated: May 2, 2008.

Carl J. Artman,

Assistant Secretary—Indian Affairs.

Editorial Note: This document was received in the Office of the Federal Register on September 30, 2008.

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