

Draft Categorical Exclusion

The Service prepared the draft CatEx in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) to evaluate the potential effects to the natural and human environment resulting from issuing permits under the plan.

Background

The Service listed the Santa Barbara County DPS of the California tiger salamander as endangered on September 21, 2000 (65 FR 57242).

Section 9 of the ESA and its implementing regulations prohibit the take of fish or wildlife species listed as endangered or threatened. "Take" is defined under the ESA to include the following activities: "[T]o harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (16 U.S.C. 1532); however, under section 10(a)(1)(B) of the ESA, we may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are in the Code of Federal Regulations (CFR) at 50 CFR 17.32 and 17.22, respectively. Issuance of an incidental take permit also must not jeopardize the existence of federally listed fish, wildlife, or plant species. The permittees would receive assurances under our "No Surprises" regulations ((50 CFR 17.22(b)(5) and 17.32(b)(5)) regarding conservation activities for the Santa Barbara County DPS of the California tiger salamander.

Proposed Action

The proposed action is approval of the plan and subsequent issuance of permits. The Service prepared the plan to provide a more efficient and standardized mechanism for proponents in activities associated with the installation and operation of vineyards, crops, and other agricultural development on non-Federal lands. The plan meets the permit issuance criteria as required by section 10(a)(2)(B) of the ESA and enables the construct of a programmatic permitting and conservation process to address a defined suite of proposed activities over a defined planning area. The proposed plan would allow private individuals, local and State agencies, and other non-Federal entities to meet the statutory and regulatory requirements of the ESA by applying for permits and complying

with the requirements of the plan, including all applicable avoidance, minimization, and mitigation actions.

The draft CatEx provides the required NEPA documentation for the proposed Federal action, which is approval of a conservation plan and subsequent issuance of permits pursuant to section 10(a)(1)(B) of the ESA. The CatEx also provides baseline environmental information, and a discussion of impacts to the human and natural environment that may occur as a result of implementation of the proposed plan.

Public Availability of Comments

Before including your address, phone number, email 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 view, we cannot guarantee that we will be able to do so.

Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Stephen Henry,

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

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLCOS05000.L16100000.DQ0000.LXSS053C0000.20X]

Notice of Availability of the Record of Decision for the Uncompahgre Field Office Approved Resource Management Plan, Colorado

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: The Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the Approved Resource Management Plan (RMP) for the Uncompahgre Field Office located in southwestern Colorado, in Montrose, Delta, Gunnison, Ouray, San Miguel and Mesa counties. The Colorado State Director signed the ROD on April 2,

2020. The ROD makes the Approved RMP effective immediately.

ADDRESSES: Copies of the ROD/ Approved RMP are available upon request from the Uncompahgre Field Office, Bureau of Land Management, 2465 South Townsend Avenue, Montrose, CO 81401 or via the internet at <https://go.usa.gov/xnpgD>. Copies of the ROD/Approved RMP are available for public inspection by appointment at the Uncompahgre Field Office, Montrose, CO, and the BLM Colorado State Office, 2850 Youngfield St, Lakewood, CO 80215.

FOR FURTHER INFORMATION CONTACT:

Angela LoSasso, Planning and Environmental Coordinator, telephone 970-240-5300; email uformp@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact Ms. LoSasso during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: The Uncompahgre Approved RMP replaces the 1985 San Juan/San Miguel RMP, as amended; and the 1989 Uncompahgre Basin RMP, as amended. The BLM developed the Uncompahgre Field Office RMP in collaboration with 18 cooperating agencies. The BLM began engaging with the public and its cooperating agencies on the RMP revision in 2010 and made the Draft RMP/Draft EIS available for public review and comment in 2016; the BLM made the Proposed RMP/Final EIS available to the public on June 28, 2019. The BLM received 13 protest letters from parties with standing during the ensuing protest period, and the BLM Director resolved those protests. The Colorado Governor submitted a letter identifying certain concerns related to the consistency of the Proposed RMP with State plans. After a thorough review, the BLM determined that the Proposed RMP is consistent with existing State plans; however, as a result of the Governor's comments, the BLM adopted a new controlled surface use stipulation for fluid mineral leasing. Its purpose is to ensure the function and suitability of big game winter range, migration and production areas. The BLM also modified a stipulation to enhance the Gunnison Sage-Grouse habitat protection. The Approved RMP describes landscape-level management actions and allowable uses for resources, resource uses and special designations within the Uncompahgre Planning Area. The Planning Area

includes approximately 3.1 million acres of public land managed by the BLM Uncompahgre Field Office, U.S. Forest Service (portions of the Grand Mesa, Uncompahgre and Gunnison National Forest), National Park Service (Black Canyon of the Gunnison National Park and portions of Curecanti National Recreation Area), U.S. Bureau of Reclamation, State of Colorado (including Ridgway, Crawford, and Paonia State Parks), and local and private lands. The ROD/Approved RMP makes decisions for the approximately 675,800 acres of BLM surface lands and approximately 971,220 acres of Federal mineral estate, including split estate, within the Planning Area. Two BLM National Conservation Areas are managed under separate RMPs. The alternative selected as the Approved RMP is a slightly modified version of Alternative E, as described in the Proposed RMP. It provides for a balanced combination of goals, objectives, allowable uses and management actions. The Approved RMP identifies comprehensive long-range decisions for the management and use of resources on BLM-administered public lands, focusing on the principles of multiple use and sustained yield set forth in the Federal Land Policy and Management Act of 1976.

Authority: 40 CFR 1506.6.

Jamie E. Connell,

Colorado State Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

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LVRWG19G1360 19XL5017AP; NMNM
136976]

Notice of Availability of the Final Environmental Impact Statement and Proposed Land Use Plan Amendment for the Borderlands Wind Project in Catron County, New Mexico

AGENCY: Bureau of Land Management, Department of the Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (EIS) for the proposed Borderlands Wind Project (Project) and proposed Socorro Field Office Resource

Management Plan Amendment (RMPA) for the BLM Socorro Field Office, and by this Notice is announcing its availability.

DATES: This Notice initiates the 30-day protest period for a proposed plan amendment. Protests may be submitted in writing until May 11, 2020.

ADDRESSES: All protests must be submitted in writing and mailed to one of the following addresses:

Mail: Director (210), Attn: Protest Coordinator, P.O. Box 261117, Lakewood, CO 80226; or *Overnight Delivery:* Director (210), Attn: Protest Coordinator, 2850 Youngfield Street, Lakewood, CO 80215.

You may submit protests electronically through the BLM ePlanning project website: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=116245&dcId=0b0003e88126486a> and at 43 CFR 1610.5-2. Protests submitted electronically by any means other than the ePlanning project website protest section will be invalid unless a protest is also submitted in hard copy. Protests submitted by fax will also be invalid unless also submitted either through ePlanning project website protest section or in hard copy. The Final EIS is available on line on the ePlanning website at: <https://eplanning.blm.gov/epl-front-office/eplanning/planAndProjectSite.do?methodName=renderDefaultPlanOrProjectSite&projectId=116245&dcId=0b0003e88126486a>. Hard copies are available for viewing at the BLM Socorro field office and the BLM New Mexico State Office in Santa Fe.

FOR FURTHER INFORMATION CONTACT: Virginia Alguire, BLM Socorro Field Office, 901 S Hwy 85, Socorro, New Mexico 87801; phone 575-838-1290, or email to valguire@blm.gov. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FRS) at 1-800-877-8339 to contact Ms. Alguire during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

SUPPLEMENTARY INFORMATION: Pursuant to BLM's planning regulations at 43 CFR 1610.5-2, any person who participated in the planning process for this Proposed RMP and Integrated RMP and has an interest which is or may be adversely affected by the planning decisions may protest approval of the planning decisions contained therein.

The regulations specify the required elements of your protest. Take care to document all relevant facts. As much as possible, reference or cite the planning documents or available planning records (e.g. meeting minutes or summaries, correspondence, etc.).

Instructions for filing a protest with the Director of the BLM regarding the Final EIS/RMPA may be found online at <https://www.blm.gov/programs/planning-and-nepa/public-participation/filing-a-plan-protest> and at 43 CFR 1610.5-2. All protests must be in writing and mailed to the appropriate address, as set forth in the **ADDRESSES** section.

Borderlands Wind, LLC, submitted an application to the BLM requesting authorization to construct, operate, maintain, and terminate an up-to-100 megawatt commercial wind energy generation facility, the Borderlands Wind Project (NMNM136976), in Catron County, New Mexico, within a boundary that encompasses land managed by the BLM, the New Mexico State Land Office, and private landowners. The project would be located south of U.S. Route 60 in Catron County near Quemado, New Mexico, and the Arizona-New Mexico border. Authorization of this proposal requires amendments to the 2010 Socorro Field Office RMP to modify the visual resource management class in the project area and to modify a right-of-way avoidance area.

The Final EIS analyzed the direct, indirect, and cumulative environmental impacts of the Proposed Action, Alternative 1 (optimize the proposed wind facility components in order to minimize potential environmental impacts), Alternative 2 (change in the turbine generation types), and the No Action Alternative. Alternatives 1 and 2 would be constructed, operated, and maintained with the same project area. The Proposed Action and Alternative 1 would construct 40 turbines. However, because of the difference in the types of turbines, Alternative 2, the BLM Preferred Alternative, would only construct 34 turbines instead of 40 turbines within the same area as Alternative 1. The No Action Alternative would be a continuation of existing conditions.

A Notice of Intent to prepare an EIS for the proposed Borderlands Wind Project was published in the **Federal Register** on November 9, 2018 (83 FR 56097). The public scoping period closed on December 10, 2018. The BLM held one public scoping meeting on November 14, 2018. The BLM received 51 public scoping comment submission during the 45-day scoping period. The