

identification of erroneous information contained in the List, and improved analytical methods.

#### *C. How Do We Determine Whether a Species is Endangered or Threatened?*

Section 4(a)(1) of the Act requires that we determine whether a species is endangered or threatened based on one or more of the five following factors:

- A. The present or threatened destruction, modification, or curtailment of its habitat or range;
- B. Overutilization for commercial, recreational, scientific, or educational purposes;
- C. Disease or predation;
- D. The inadequacy of existing regulatory mechanisms; or
- E. Other natural or manmade factors affecting its continued existence.

Under section 4(b)(1) of the Act, we are required to base our assessment of these factors solely on the best scientific and commercial data available.

#### *D. What Could Happen as a Result of Our Review?*

For each species we review, if we find new information indicating a change in classification may be warranted, we may propose a new rule that could do one of the following:

- A. Reclassify the species from threatened to endangered (uplist);
- B. Reclassify the species from endangered to threatened (downlist); or
- C. Remove the species from the List (delist).

If we determine that a change in classification is not warranted, then the species remains on the List under its current status.

We must support any delisting by the best scientific and commercial data available, and only consider delisting if such data substantiate that the species is neither endangered nor threatened for one or more of the following reasons:

- A. The species is considered extinct;
- B. The species is considered to be recovered; and/or
- C. The original data available when the species was listed, or the interpretation of such data, were in error (50 CFR 424.11(d)).

#### *E. Request for New Information*

To ensure that a 5-year review is complete and based on the best available scientific and commercial information, we request new information from the public, governmental agencies, Tribes, the scientific community, environmental entities, industry, and any other interested parties concerning the status of the species.

See "What Information Do We Consider in Our Review?" for specific

criteria. If you submit information, support it with documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources.

Submit your comments and materials to office listed under "Contacts."

#### *F. Public Availability of Comments*

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. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the offices where we receive comments.

#### **III. Contacts**

Submit your comments and information on this species, as well as any request for information, by any one of the following methods. You may also view information and comments we receive in response to this notice, as well as other documentation in our files, at the following locations by appointment, during normal business hours.

*E-mail:* Karen\_laing@fws.gov; Use "spectacled eider" as the message subject line.

*Fax:* Attn: Karen Laing, (907) 786-3848.

*U.S. mail:* Karen Laing, U.S. Fish and Wildlife Service, MS-361, 1011 E. Tudor Road, Anchorage, AK 99503.

*In-Person drop-off or Document review/pickup:* You may drop off comments and information, review/obtain documents, or view received comments during regular business hours at the above address.

#### **IV. Definitions**

(A) *Species* includes any species or subspecies of fish, wildlife, or plant, and any distinct population segment of any species of vertebrate, which interbreeds when mature; (B) *Endangered* means any species that is in danger of extinction throughout all or a significant portion of its range; and

(C) *Threatened* means any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.

#### **V. Authority**

We publish this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: March 30, 2010.

**Gary Edwards,**

*Acting Regional Director, Region 7, U.S. Fish and Wildlife Service.*

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## **DEPARTMENT OF THE INTERIOR**

### **National Park Service**

#### **Termination of an Environmental Impact Statement (EIS) for the General Management Plan (GMP) for Kings Mountain National Military Park (Park), South Carolina**

**AGENCY:** National Park Service, Department of Interior.

**ACTION:** Notice.

**SUMMARY:** The National Park Service (NPS) is terminating preparation of an EIS for the GMP for the Park, South Carolina. A Notice of Intent to prepare an EIS for the Park GMP was published in the **Federal Register** on October 10, 2006 (71 FR 63350), and followed by a scoping newsletter. The NPS has since determined that an Environmental Assessment rather than an EIS is the appropriate level of environmental documentation for the plan.

**SUPPLEMENTARY INFORMATION:** The GMP will establish the overall management direction for the next 15 to 20 years. Two scoping information meetings were conducted on May 6 & 7, 2008, with stakeholders and the general public at Kings Mountain, North Carolina, and York, South Carolina. Initial scoping did not result in significant impacts being identified by the public. Additionally, the preliminary analysis of the alternatives does not indicate that significant impacts will result from implementation of any of the alternatives. The NPS planning team has developed two action alternatives, in addition to the no-action alternative (Alternative A) which represents the continuation of current management policies and practices. Alternative B would expand interpretive programs and materials to include the continuum of human history at the site, while continuing to focus the park's primary efforts on the 1780 battle. In addition, more interpretation of the natural history and environment of the site would be included in the park's interpretive program. Alternative C would broaden the interpretive

experience at the park beyond the immediate battleground ridge area to include the routes and approaches used by Overmountain Victory fighters and more exhibits and programs in the woods around the ridge.

**DATES:** The NPS will notify the public, by mail, Web site, and other means, of public review periods and meetings associated with the Draft GMP/EA. All public review and other written public information will be made available online at <http://parkplanning.nps.gov/parkHome.cfm?parkId=390>.

**Authority:** The authority for publishing this notice is 40 CFR 1506.6.

**FOR FURTHER INFORMATION CONTACT:** Erin Broadbent, Superintendent, Kings Mountain National Military Park, 2625 Park Rd., Blacksburg, SC 2970; telephone, (864) 936-7921, e-mail: [kimo\\_superintendent@nps.gov](mailto:kimo_superintendent@nps.gov).

The responsible official for this Final EIS is the Regional Director, Southeast Region, National Park Service, 100 Alabama Street, SW., 1924 Building Atlanta, Georgia 30303.

Dated: March 18, 2010.

**David Vela,**

*Regional Director, Southeast Region, National Park Service.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

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L51010000.FX0000. LVRWB092990]

#### Notice of Availability of the Draft Environmental Impact Statement/Staff Assessment for the Solar Millennium's Ridgecrest Solar Power Project and Possible California Desert Conservation Area Plan Amendment

**AGENCY:** Bureau of Land Management, 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) and the California Energy Commission (CEC) have prepared a Draft Environmental Impact Statement (EIS), Draft California Desert Conservation Area (CDCA) Plan Amendment, and Staff Assessment (SA) as a joint environmental analysis document for the Ridgecrest Solar Power Project (RSPP), Kern County, California, and by this notice are

announcing the opening of the comment period.

**DATES:** To ensure that comments will be considered, the BLM must receive written comments on the Draft EIS/SA within 90 days following the date the Environmental Protection Agency publishes its Notice of Availability of this document in the **Federal Register**. The BLM will announce future meetings or hearings and any other public involvement activities at least 15 days in advance through public notices, media releases, and/or mailings.

**ADDRESSES:** You may submit comments related to the RSPP by any of the following methods:

- *Web site:* [http://www.energy.ca.gov/sitingcases/solar\\_millennium\\_ridgecrest/index.html](http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/index.html).

- *E-mail:* [esolorio@energy.state.ca.us](mailto:esolorio@energy.state.ca.us) and [carspp@ca.blm.gov](mailto:carspp@ca.blm.gov).

- *Fax:* (916) 651-0966

- *Mail:* Eric Solorio, Project Manager, Siting, Transmission, and Environmental Protection Division, California Energy Commission, 1516 Ninth Street, MS-15, Sacramento, California 95814.

Copies of the Solar Millennium's RSPP Draft EIS/SA are available from the CEC and the BLM at the above addresses and in the BLM Ridgecrest Field Office, 300 South Richmond Road, Ridgecrest, California 92555, or the California Desert District Office, 22835 Calle San Juan de los Lagos, Moreno Valley, California 92553.

**FOR FURTHER INFORMATION CONTACT:** Janet Eubanks, BLM Project Manager, telephone: (951) 697-5376, address: Bureau of Land Management, 22835 Calle San Juan de los Lagos, Moreno Valley, California 92553; or e-mail [carspp@ca.blm.gov](mailto:carspp@ca.blm.gov).

**SUPPLEMENTARY INFORMATION:** Solar Millennium has submitted to the BLM an amended application to develop a dry-cooled, utility-scale solar thermal electric power generating facility. The project will have a nominal output of 250 megawatts, consisting of a single power plant utilizing two solar fields.

The project would be located in northeastern Kern County, California, about five miles southwest of Ridgecrest, California. The proposed project right-of-way (ROW) would encompass approximately 3,995 acres of public lands administered by the BLM. The total disturbance area would encompass approximately 1,944 acres. The dry-cooled project would use solar parabolic trough technology to generate electricity. The project also includes the relocation of two Southern California Edison electrical transmission lines,

construction of a new 5-mile long water supply pipeline, and an access road.

The BLM's purpose and need for the RSPP is to respond to Solar Millennium's application under Title V of FLPMA (43 U.S.C. 1761) for a ROW grant to construct, operate, and decommission a solar thermal facility on public lands in compliance with FLPMA, the BLM ROW regulations, and other applicable Federal laws and regulations. The BLM will decide whether to approve, approve with modification, or deny issuance of a ROW grant to Solar Millennium for the proposed RSPP. The BLM will also amend the CDCA Plan in this NEPA analysis by designating the project area as either available or unavailable to solar energy projects. The CDCA Plan (1980, as amended), while recognizing the potential placement of solar generation facilities on public lands, requires that all sites proposed for power generation or transmission not identified in the plan be considered through the plan amendment process.

In response to the application received from Solar Millennium, the BLM's proposed action is to authorize the RSPP and amend the CDCA Plan to designate the project area as available for solar energy projects. The project area would avoid El Paso Wash. In addition to the proposed action, the BLM is analyzing the following action alternatives: An alternative that limits the project to the Northern Unit to avoid Mohave Ground Squirrel designated critical habitat; an alternative that limits the project to the Southern Unit to avoid high population densities of desert tortoise and other resources; and the original proposed project alternative. All action alternatives would amend the CDCA Plan to make the area available to solar energy development.

In addition to the above, as required under NEPA, the Draft EIS analyzes a no action alternative that would not require a CDCA Plan amendment. The Draft EIS also analyzes two additional no action alternatives that reject the project, but amend the CDCA Plan to either: (1) Designate the project area as available to future solar energy power generation projects; or (2) designate the project area as unavailable to future solar energy power generation projects. The BLM will take into consideration the provisions of the Energy Policy Act of 2005 and Secretarial Orders 3283 *Enhancing Renewable Energy Development on the Public Lands* and 3285 *Renewable Energy Development by the Department of the Interior* in responding to the Solar Millennium application.