

under section 10(a) 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 an otherwise lawful activity. Regulations governing incidental take permits for endangered and threatened species, respectively, are found in the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.

### Applicant's Proposed Project

The applicant requests a 29-year ITP to take the federally endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*). The applicant determined that unavoidable take is reasonably certain to occur incidental to operation of 414 previously constructed wind turbines. The proposed conservation strategy in the applicant's proposed HCP is designed to avoid, minimize, and mitigate the impacts of the covered activity on the covered species. The biological goals and objectives are to minimize potential take of Indiana bats and northern long-eared bats through on-site minimization measures and to provide habitat conservation measures for Indiana bats and northern long-eared bats to offset any impacts from operations of the project. The HCP provides on-site avoidance and minimization measures, which include turbine operational adjustments. The estimated level of take from the project is 728 Indiana bats and 169 northern long-eared bats over the 29-year project duration. To offset the impacts of the taking of Indiana bats and northern long-eared bats, the applicant proposes mitigation that will consist of one or more of the following: Protection of a hibernaculum, protection of summer maternity colony habitat, restoration of summer maternity colony habitat, and protection of swarming habitat.

### National Environmental Policy Act

The issuance of an ITP is a Federal action that triggers the need for compliance with NEPA. We prepared a draft EA that analyzes the environmental impacts on the human environment resulting from three alternatives: A no-action alternative, the proposed action, and a more restrictive alternative consisting of feathering at a rate of wind speed that results in less impacts to bats.

### Next Steps

The Service will evaluate the permit application and the comments received to determine whether the application

meets the requirements of section 10(a) of the ESA. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the above findings, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue the requested ITP to the applicant.

### Request for Public Comments

The Service invites comments and suggestions from all interested parties during a 30-day public comment period (see **DATES**). In particular, information and comments regarding the following topics are requested:

1. The direct, indirect, or cumulative effects that implementation of any alternative could have on the human environment;

2. Whether or not the significance of the impact on various aspects of the human environment has been adequately analyzed; and

3. Any other information pertinent to evaluating the effects of the proposed action on the human environment.

Because this permit application was sufficiently complete prior to the effective date of the new NEPA regulations, we are exercising our discretion to conduct our NEPA analysis under the regulations in effect prior to September 14, 2020.

### Availability of Public Comments

You may submit comments by one of the methods shown under **ADDRESSES**. We will post on <http://regulations.gov> all public comments and information received electronically or via hardcopy. All comments received, including names and addresses, will become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

### 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 the NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6 (2019); 43 CFR part 46).

**Lori Nordstrom,**

*Assistant Regional Director, Ecological Services.*

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## DEPARTMENT OF THE INTERIOR

[RR04900000, 200R0680R1, RR.17549897.2020000.01]

### Notice of Contract Execution Between the Central Utah Water Conservancy District (District) and Department of the Interior (Interior) for Prepayment of Costs Allocated to Municipal and Industrial Water from the Bonneville Unit of the Central Utah Project, Utah County, Utah

**AGENCY:** Office of the Assistant Secretary for Water and Science, Interior.

**ACTION:** Notice of contract execution.

**SUMMARY:** On October 1, 2020, Block Notice 7A-2 was issued to the District for 22,000 acre-feet of Municipal and Industrial water from the Utah Lake Drainage Basin Water Delivery System, Bonneville Unit of the Central Utah Project. Subsequently, on October 28, 2020, Interior and the District entered into a contract for the District to prepay the repayment obligation associated with Block Notice 7A-2.

**FOR FURTHER INFORMATION CONTACT:** Additional information on matters related to this **Federal Register** notice can be obtained by contacting Mr. Lee Baxter, Senior Program Coordinator, Central Utah Project Completion Act Office, Department of the Interior, 302 East Lakeview Parkway, Provo, Utah 84606; via telephone at (801) 379-1174; or by email at [lbaxter@usbr.gov](mailto:lbaxter@usbr.gov).

**SUPPLEMENTARY INFORMATION:** Public Law 102-575, Central Utah Project Completion Act, Section 210, as amended through Public Law 104-286, stipulates that "the Secretary shall allow for prepayment of the repayment contract between the United States and the Central Utah Water Conservancy District (District) dated December 28, 1965, and supplemented on November 26, 1985, or any additional or supplemental repayment contract providing for repayment of municipal and industrial water delivery facilities of the Central Utah Project for which repayment is provided pursuant to such contract, under terms and conditions

similar to those contained in the supplemental contract that provided for the prepayment of the Jordan Aqueduct dated October 28, 1993. The prepayment may be provided in several installments to reflect substantial completion of the delivery facilities being prepaid and may not be adjusted on the basis of the type of prepayment financing utilized by the District.”

In accordance with Public Law 102–575, the District prepaid the municipal and industrial repayment obligation associated with Block Notice 7A–2 from the Utah Lake Drainage Basin Water Delivery System, a component of the Bonneville Unit of the Central Utah Project. The terms of the prepayment were publicly negotiated between the District and Interior on September 23, 2020.

**Reed R. Murray,**

*Program Director, Central Utah Project  
Completion Act Office, Department of the  
Interior.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[DOI–BLM–NV–W010–2020–0012–EIS;  
LLNVW00000.L51100000.GN0000.  
LVEMF1907180.19X .MO# 4500149816]

#### **Notice of Availability of the Final Environmental Impact Statement for the Proposed Thacker Pass Project, Two Plans of Operations Submitted by Lithium Nevada Corporation for Mining and Exploration in Humboldt County, Nevada**

**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, the Bureau of Land Management (BLM) Humboldt River Field Office, Winnemucca, Nevada, as the lead agency, has prepared the Thacker Pass Lithium Mine Project Final Environmental Impact Statement (EIS), for the proposed Lithium Mine Project Proposed Plans of Operations and Reclamation Plan Permit Applications (the Project) in Humboldt County, Nevada, and by this notice announces the availability of the FEIS. In accordance with the Bald and Golden Eagle Protection Act (Eagle Act), the Fish and Wildlife Service (FWS) is a cooperating agency with the BLM on the development of this FEIS and has

used it to analyze the potential impacts of approving LNC’s request for an incidental take permit for golden eagles. FWS has evaluated the LNC’s Eagle Conservation Plan (ECP), which describes their request for incidental take of eagles and a 5-year incidental take permit for golden eagles under the Eagle Act.

**DATES:** The BLM will not issue a final decision on the proposal for a minimum of 30 days after the Environmental Protection Agency publishes its notice of availability of the Thacker Pass Lithium Mine Project Final EIS DOI–BLM–NV–W010–2020–0012–EIS in the **Federal Register**. BLM will coordinate with the FWS on impacts to golden eagles and the Eagle Act permitting process prior to signing a Record of Decision.

**ADDRESSES:** Copies of North-South Exploration and the Thacker Pass Mine Plans of Operations and the Thacker Pass Project Final EIS are available for public inspection on the internet at <https://bit.ly/2Npgf9l>.

**FOR FURTHER INFORMATION CONTACT:** For questions about the proposed Project contact Mr. Ken Loda, Lead Geologist, Bureau of Land Management Humboldt River Field Office telephone: (775) 623–1500, address: 5100 East Winnemucca Boulevard, Winnemucca, Nevada 89445. For questions concerning the Eagle Act permitting process, contact Mr. Thomas Leeman, Deputy Chief, Migratory Bird Program, U.S. Fish and Wildlife Service, Department of the Interior Region 10, at (916) 978–6189. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1–800–877–8339 to contact either of the above individuals during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with either one of the above individuals. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The applicant, LNC proposes to construct, operate, reclaim, and eventually close an open pit lithium mine, processing operation, and continued exploration activities (the Project), on public lands in northern Humboldt County, Nevada.

LNC currently has two approved Plans of Operation, one for exploration and one for a specialty clay mine, approved within the area proposed for the new lithium mine. There are 75 acres of exploration disturbance approved under LNC’s existing exploration Plan, and 140 acres of existing disturbance approved under their clay mine Plan.

LNC has submitted two new Plans of Operations to develop the Project and to provide a description of the proposed lithium mining, processing, and exploration operations. Each of these new Plans of Operation include a reclamation plan for the activities identified under its respective Plan of Operation. The operations proposed under the two new Plans of Operation would involve a project area of about 18,000 acres, with an ultimate disturbance footprint of approximately 5,700 acres. The new lithium mine Plan of Operation boundary overlaps the existing approved Plan boundaries.

LNC proposes to develop the Project in two phases over the estimated 41-year mine life. Pending LNC receiving the required authorizations and permits for Phase 1 of the Project, pre-stripping would commence in early 2021, and construction in the first quarter of 2021, with mining production and ore processing estimated to commence in late 2022. LNC estimates that it would complete mining, processing, and concurrent reclamation activities in 2061, after which, reclamation, site closure activities, and post-closure monitoring would occur for a minimum of five years.

The proposed activities and facilities associated with the Project include development of an open pit mine, construction and operation of lithium processing and production facilities, mine facilities to support mining operations, two waste rock storage facilities, a run-of-mine stockpile, a clay tailings filter stack, water supply facilities, two power transmission lines and substations, and various ancillary facilities. Pit dewatering is not expected to be required as part of the Project until 2055, and concurrent backfill of the open pit would occur after sufficient volume has been excavated to initiate direct placement of waste rock. Exploration would be conducted under both new Plans. In addition, the Project would affect golden eagle nests and territories by planned blasting within a two-mile radius of golden eagle nests; therefore, LNC has requested authorization from the FWS to disturb eagle nests and a 5-year incidental take permit for golden eagles under the Eagle Act. The permit application includes an Eagle Conservation Plan, which contains commitments to avoid, minimize, and mitigate adverse effects on golden eagles resulting from the implementation of the Project. Issuance of an eagle take permit must comply with the Eagle Act and all related regulatory requirements (50 CFR 22.26).

The Final EIS describes and analyzes the proposed Project’s direct, indirect,