

required to develop a long-term conservation strategy to be consistent with their HCP.

To help develop a scientifically credible long-term marbled murrelet conservation strategy, the WDNR convened a science team to develop murrelet conservation recommendations for WDNR lands in southwest Washington and the Olympic Peninsula. This team published their findings in 2008 as a report entitled *Recommendations and Supporting Analysis of Conservation Opportunities for the Marbled Murrelet Long-Term Conservation Strategy*. This report rated the 13,748-acre Nemah Block as the most important WDNR landscape in southwest Washington for marbled murrelet conservation. The proposed wind project would be located on Radar Ridge, which is within the Nemah block. To date, the WDNR has not completed its final long-term conservation strategy for the marbled murrelet.

To our knowledge, there is no forest on the ridge-top within the project footprint that resembles mature or old growth forest that might provide nesting habitat for the marbled murrelet. However, through the use of radar surveys, Radar Ridge LLC has documented the presence of marbled murrelets flying over the ridge, primarily above proposed wind turbine heights, both during the summer breeding season and during the winter. There are 89 murrelet-occupied nest sites within 30 miles of the project area and the northwest end of the project is within approximately 1,800 feet of the South Nemah Natural Resources Conservation Area, the highest known marbled murrelet nesting use site in Washington. While the project footprint does not appear to have any suitable nesting habitat for the species, marbled murrelets have been documented flying over the project location, likely commuting to and from nest sites. Some of these birds would be at risk of collision with the wind project.

Environmental Impact Statement

We will conduct an environmental review of the permit application, including the HCP. We will prepare an EIS in accordance with NEPA requirements, as amended (40 U.S.C. 4321 *et seq.*), and NEPA implementing regulations (40 CFR 1500–1508), and in accordance with other Federal laws and regulations, and the policies and procedures of the USFWS for compliance with those regulations.

We request data, comments, new information, or suggestions from the public, other concerned governmental

agencies, the scientific community, Tribes, industry, or any other interested party on this notice. We will consider all comments we receive in complying with the requirements of NEPA and in the development of the HCP and ITP. We particularly seek comments concerning:

- (1) The direct, indirect, and cumulative effects that implementation of any reasonable alternative could have on endangered and threatened species;
- (2) Other reasonable alternatives, and their associated effects;
- (3) Measures that would minimize and mitigate potentially adverse effects of the proposed project;
- (4) Baseline environmental conditions in and adjacent to the project;
- (5) Biological information regarding the marbled murrelet;
- (6) Monitoring and adaptive management that might be relevant to the project;
- (7) Other plans or projects that might be relevant to this project;
- (8) Pertinent information concerning wind energy and wildlife response; and
- (9) Pertinent information concerning wind energy and its relationship to the human environment.

The EIS will analyze the effects that the various alternatives would have on the marbled murrelet as well as all other aspects of the human environment, including but not limited to geology and soils, land use, air quality, water quality, wetlands, socioeconomic, recreation, cultural resources, noise, visual resources, climate change, and cumulative impacts from the proposed action. A notice of availability is expected to be published in the **Federal Register** in early 2011 and the DEIS will be circulated for public review and comment. The USFWS will consider and respond to comments received on the draft EIS in the final EIS. The final EIS is expected to be published sometime later in 2011. The USFWS and BPA will each document their decision in a Record of Decision following completion of the final EIS.

Reasonable Accommodation

Persons needing reasonable accommodations to attend and participate in public meetings should contact Mark Ostwald (*see FOR FURTHER INFORMATION CONTACT*) as soon as possible. To allow sufficient time to process requests, please call no later than one week before the public meeting. Information regarding this proposed action is available in alternative formats upon request.

Dated: May 10, 2010.

Carolyn A. Bohan,

Deputy Regional Director, U.S. Fish and Wildlife Service, Region 1, Portland, Oregon.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLMT922200–10–L13100000–FI0000–P; MTM 98343]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease MTM 98343

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Per 30 U.S.C. 188(d), Kykuit Resources, LLC timely filed a petition for reinstatement of competitive oil and gas lease MTM 98343, Fergus County, Montana. The lessee paid the required rental accruing from the date of termination.

No leases were issued that affect these lands. The lessee agrees to new lease terms for rentals and royalties of \$10 per acre and 16–2/3 percent. The lessee paid the \$500 administration fee for the reinstatement of the lease and the \$163 cost for publishing this Notice.

The lessee met the requirements for reinstatement of the lease per Sec. 31(d) and (e) of the Mineral Leasing Act of 1920 (30 U.S.C. 188). *We are proposing to reinstate the lease, effective the date of termination subject to:*

- The original terms and conditions of the lease;
- The increased rental of \$10 per acre;
- The increased royalty of 16–2/3 percent; and
- The \$163 cost of publishing this Notice.

FOR FURTHER INFORMATION CONTACT: Teri Bakken, Chief, Fluids Adjudication Section, Bureau of Land Management Montana State Office, 5001 Southgate Drive, Billings, Montana 59101–4669, 406–896–5091.

Teri Bakken,

Chief, Fluids Adjudication Section.

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