

long term repayment contract to provide for the terms and conditions for reimbursement of costs related to the construction of drainage facilities within the District. This action is being undertaken to satisfy the federal government obligation to provide drainage service to the District located within the San Luis Unit of the Central Valley Project in California.

**FOR FURTHER INFORMATION CONTACT:** Ms. Angela Slaughter, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825; telephone 916-978-5250 (TTY 800-735-2929); or e-mail: [aslaughter@mp.usbr.gov](mailto:aslaughter@mp.usbr.gov).

Dated: March 16, 2010.

**Richard J. Wodley,**  
Regional Resources Manager, Mid-Pacific Region, Bureau of Reclamation.

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**BILLING CODE 4310-MN-M**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R2-ES-2010-N028; 20124-11130000-C4]

**Endangered and Threatened Wildlife and Plants; 5-Year Status Reviews of 14 Southwestern Species**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of initiation of review; request for information.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), are initiating 5-year status reviews of 14 southwestern species listed under the Endangered Species Act of 1973 (Act). We conduct these reviews to ensure that our classification of each species on the Lists of Endangered and Threatened Wildlife and Plants as threatened or endangered is accurate. A 5-year review assesses the best scientific and commercial data available at the time of the review. We are requesting the public send us any information that has become available since our original listing of each of these species. Based on review results, we will determine

whether we should change the listing status of any of these species.

**DATES:** To ensure consideration in this status review, please send your written information by June 28, 2010. However, we will continue to accept new information about any listed species at any time.

**ADDRESSES:** Submit information on these species to us at the addresses under “Public Comments” in the **SUPPLEMENTARY INFORMATION** section. We will make information we receive in response to this notice available for public inspection by appointment, during normal business hours, at the same addresses.

**FOR FURTHER INFORMATION CONTACT:** Contact the appropriate office named in “Public Comments” for species-specific information.

**SUPPLEMENTARY INFORMATION:**

**Why Do We Conduct a 5-Year Review?**

Section 4(c)(2)(A) of the Act (16 U.S.C. 1531 *et seq.*) requires that we conduct a review of listed species at least once every 5 years. We are then, under section 4(c)(2)(B) and the provisions of subsections (a) and (b), to determine, on the basis of such a review, whether or not any species should be removed (delisted) from the List of Endangered and Threatened Wildlife and Plants (50 CFR 17.12), or reclassified from endangered to threatened (downlisted), or from threatened to endangered (uplisted).

The 5-year review is an assessment of the best scientific and commercial data available at the time of the review. Therefore, we are requesting submission of any new information (best scientific and commercial data) on the following 14 species since their original listings as either endangered (Alamosa springsnail, Hualapai Mexican vole, northern aplomado falcon, Rio Grande silvery minnow, Sneed pincushion cactus, star cactus, Texas prairie dawn-flower, Texas trailing phlox, white bladderpod, and whooping crane) or threatened (Gila trout, Lee pincushion cactus, loach minnow, and spikedace). If the present classification of any of these species is not consistent with the best scientific

and commercial information available, we will recommend whether or not a change is warranted in the Federal classification of that species. Any change in Federal classification would require a separate rulemaking process.

Our regulations at 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review. This notice announces our active review of the 14 species listed in Table 1.

**What Do We Consider in Our Review?**

A 5-year review considers all new information available at the time of the review. These reviews will consider the best scientific and commercial data that has become available since the current listing determination or most recent status review of each species, such as:

- A. Species biology, including but not limited to population trends, distribution, abundance, demographics, and genetics;
- B. Habitat conditions, including but not limited to amount, distribution, and suitability;
- C. Conservation measures that have been implemented to benefit the species;
- D. Threat status and trends (see five factors under heading “How do we determine whether a species is endangered or threatened?”); and
- E. Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes, identification of erroneous information contained in the List of Endangered and Threatened Wildlife and Plants, and improved analytical methods.

**How Are These Species Currently Listed?**

The List of Endangered and Threatened Wildlife and Plants (List) is found in 50 CFR 17.11 (wildlife) and 17.12 (plants). Amendments to the List through final rules are published in the **Federal Register**. The List is also available on our Internet site at <http://www.fws.gov/endangered/wildlife.html>. In Table 1 below, we provide a summary of the current listing information for the species under active review.

TABLE 1—CURRENT LISTING STATUS OF SPECIES UNDER 5-YEAR STATUS REVIEW

Common name	Scientific name	Status	Where listed	Final listing rule publication date and citation
<b>ANIMALS</b>				
Alamosa springsnail .....	<i>Tryonia alamosae</i> .....	Endangered .....	U.S.A. (NM) .....	September 30, 1991 (56 FR 49646).
Gila trout .....	<i>Oncorhynchus gilae</i> .....	Threatened .....	U.S.A. (AZ, NM) .....	May 11, 2005 (70 FR 24750).

TABLE 1—CURRENT LISTING STATUS OF SPECIES UNDER 5-YEAR STATUS REVIEW—Continued

Common name	Scientific name	Status	Where listed	Final listing rule publication date and citation
Hualapai Mexican vole .....	<i>Microtus mexicanus hualpaiensis</i> .	Endangered .....	U.S.A. (AZ) .....	October 1, 1987 (52 FR 36776).
Loach minnow .....	<i>Tiaroga cobitis</i> .....	Threatened .....	U.S.A. (AZ, NM) .....	October 28, 1986 (51 FR 39468).
Northern aplomado falcon	<i>Falco femoralis septentrionalis</i> .	Endangered, Experimental, Non-essential.	U.S.A. (AZ, NM, TX) .....	February 25, 1986 (51 FR 6686).
Rio Grande silvery minnow	<i>Hybognathus amarus</i> .....	Endangered .....	U.S.A. (NM, TX) .....	July 20, 1994 (59 FR 36988).
Spikedace .....	<i>Meda fulgida</i> .....	Threatened .....	U.S.A. (AZ, NM) .....	July 1, 1986 (51 FR 23769).
Whooping crane .....	<i>Grus americana</i> .....	Endangered, Experimental Non-essential.	U.S.A. (TX + 27 states) ....	March 11, 1967 (32 FR 4001).

## PLANTS

Lee pincushion cactus .....	<i>Coryphantha sneedii leei</i> ..	Threatened .....	U.S.A. (NM) .....	October 25, 1979 (44 FR 61554).
Sneed pincushion cactus ..	<i>Coryphantha sneedii sneedii</i> .	Endangered .....	U.S.A. (NM, TX) .....	November 7, 1979 (44 FR 64741).
Star cactus .....	<i>Astrophytum asterias</i> .....	Endangered .....	U.S.A. (TX) .....	October 18, 1993 (58 FR 53804).
Texas prairie dawn-flower	<i>Hymenoxys texana</i> .....	Endangered .....	U.S.A. (TX) .....	March 13, 1986 (51 FR 8681).
Texas trailing phlox .....	<i>Phlox nivalis texensis</i> .....	Endangered .....	U.S.A. (TX) .....	September 30, 1991 (56 FR 49636).
White bladderpod .....	<i>Lesquerella pallida</i> .....	Endangered .....	U.S.A. (TX) .....	March 11, 1987 (52 FR 7424).

## Definitions

In classifying, we use the following 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 species* (E) means any species that is in danger of extinction throughout all or a significant portion of its range.

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

D. *Experimental population—non-essential* (XN) means any population of an endangered or threatened species (including any offspring arising solely therefrom) authorized for release (and the related transportation) outside the current range of the species, that is wholly separate geographically from nonexperimental populations of the same species, to promote the further conservation of that species.

## How Do We Determine Whether a Species Is Endangered or Threatened?

Section 4(a)(1) of the Act establishes 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.

Section 4(a)(1) of the Act requires that our determination be made on the basis of the best scientific and commercial data available.

## What Could Happen as a Result of Our Review?

For each species under review, if we find new information that indicates 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.

## Public Comments

Submit information regarding whooping crane (*Grus americana*) to the Refuge Manager, Aransas National

Wildlife Refuge Complex, P.O. Box 100, Austwell, TX 77950. The office phone number is 361-286-3559.

Submit information regarding Hualapai Mexican vole (*Microtus mexicanus hualpaiensis*), loach minnow (*Tiaroga cobitis*), and spikedace (*Meda fulgida*) to the Field Supervisor, Attention 5-year Review, U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, 2321 West Royal Palm Road, Suite 103, Phoenix, AZ 85021. The office phone number is 602-242-0210.

Submit information regarding Texas prairie dawn-flower (*Hymenoxys texana*), Texas trailing phlox (*Phlox nivalis texensis*), and white bladderpod (*Lesquerella pallida*) to the Field Supervisor, Attention 5-year Review, U.S. Fish and Wildlife Service, Clear Lake Ecological Services Field Office, 17629 El Camino Real, Suite 211, Houston, TX 77058. The office phone number is 281-286-8282.

Submit information regarding star cactus (*Astrophytum asterias*) to the Field Supervisor, Attention 5-year Review, U.S. Fish and Wildlife Service, Corpus Christi Ecological Services Field Office, c/o TAMU-CC, 6300 Ocean Drive, Unit 5837, Corpus Christi, TX 78412. The office phone number is 361-994-9005.

Submit information regarding Alamosa springsnail (*Tryonia alamosae*), Gila trout (*Oncorhynchus*

*gilae*), Lee pincushion cactus (*Coryphantha sneedii leei*), northern aplomado falcon (*Falco femoralis septentrionalis*), Rio Grande silvery minnow (*Hybognathus amarus*), and Sneed pincushion cactus (*Coryphantha sneedii sneedii*) to the Field Supervisor, Attention 5-year Review, U.S. Fish and Wildlife Service, New Mexico Ecological Services Field Office, 2105 Osuna Road NE, Albuquerque, NM 87113. The office phone number is 505-346-2525.

#### Request for New Information

We request any new information concerning the status of the 14 species in Table 1. See "What Information Do We Consider in Our Review?" for specific criteria. Information submitted should be supported by 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. Before including your address, phone number, e-mail address, or other personal identifying information in your comments, 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 document is published under the authority of the Endangered Species Act (16 U.S.C. 1531 *et seq.*).

Dated: January 29, 2010.

**Thomas L. Bauer,**

*Regional Director, Region 2.*

[FR Doc. 2010-6868 Filed 3-26-10; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-LLMTC01000-L13200000-EL0000, MTM 97988]

#### Notice of Availability for the Signal Peak Energy, LLC, Federal Coal Lease Application; Environmental Assessment and Notice of Public Hearing

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Availability and Notice of Public Hearing.

**SUMMARY:** In accordance with Federal coal management regulations, the Signal

Peak Energy Coal Lease by Application Environmental Assessment (EA) is available for public review and comment. The Bureau of Land Management (BLM) will hold a public hearing to receive comments on the EA and associated Finding of No Significant Impact (FONSI), as well as the Fair Market Value (FMV), and Maximum Economic Recovery (MER) of the coal resources for Signal Peak Energy's Federal Coal Lease Application MTM 97988.

**DATES:** The public hearing will be held in the BLM Montana State Office's main conference room on April 13, 2010, at 6:30 p.m., and will continue until all comments have been heard. Written comments must be received on or before 4 p.m., April 27, 2010.

**ADDRESSES:** The public hearing will be held at the BLM Montana State Office's main conference room, 5001 Southgate Drive, Billings, Montana. Written comments on the FMV and MER should be sent to the BLM, Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669. Written comments or questions on the EA should be sent to James M. Sparks, Manager, Billings Field Office, 5001 Southgate Drive, Billings, Montana 59101-4669. Copies of the EA are available at the Billings Field Office at the above address.

**FOR FURTHER INFORMATION CONTACT:** Craig Drake, Assistant Manager, Billings Field Office, 5001 Southgate Drive, Billings, Montana 59107-6800; 406-896-5349.

**SUPPLEMENTARY INFORMATION:** The land included in Coal Lease Application MTM 97988 contains an estimated 61.4 million tons of recoverable coal reserves. It is described as follows:

T.6N., R.27E., P.M.M

Sec. 4: Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$

Sec. 8: NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$

Sec. 10: W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S $\frac{1}{2}$

Sec. 14: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ , S $\frac{1}{2}$

Sec. 22: W $\frac{1}{2}$ , SE $\frac{1}{4}$ ; 2,679.86 acres.

The EA addresses the cultural, socioeconomic, environmental, and cumulative impacts that would likely result from leasing these coal lands. Two alternatives are addressed in the EA:

*Alternative 1:* (Proposed Action) The tracts would be leased, as applied for;

*Alternative 2:* (No Action) The application would be rejected or denied. The Federal coal reserves would be bypassed.

Proprietary data marked as confidential may be submitted to the BLM in response to this solicitation of public comments. Data so marked shall

be treated in accordance with the laws and regulations governing the confidentiality of such information. A copy of the comments submitted by the public on FMV and MER, except those portions identified as proprietary by the author and meeting exemptions stated in the Freedom of Information Act, will be available for public inspection at the BLM Montana State Office, 5001 Southgate Drive, Billings, Montana 59101-4669, during regular business hours (9 a.m. to 4 p.m.) Monday through Friday. Comments pertaining to the EA and FONSI will be available for public inspection at the Billings Field Office, 5001 Southgate Drive, Billings, Montana, during regular business hours (9 a.m. to 4 p.m.) Monday through Friday.

Written comments on the FMV and MER should address, but not necessarily be limited to, the following:

1. The quality and quantity of the coal resources;

2. The mining method or methods which would achieve MER of the coal, including specifications of the seams to be mined, timing and rate of production, restriction to mining, and the inclusion of the tracts in an existing mining operation;

3. The FMV appraisal including, but not limited to, the evaluation of the tract as an incremental unit of an existing mine, selling price of the coal, mining and reclamation costs, net present value discount factors, depreciation and other tax accounting factors, value of the surface estate, and any comparable sales data on similar coal lands. The values given above may or may not change as a result of comments received from the public and changes in market conditions between now and when final economic evaluations are completed.

Before including your address, phone number, e-mail address, or other personal identifying information in your comment, please be aware that your entire comment, including your personal identifying information, may be made publicly available at any time. While you may 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.

**James M. Sparks,**

*Billings Field Office Manager.*

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**BILLING CODE 4310-DN-P**