

Dated: February 27, 2002.

**Kemper M. McMaster,**

*Acting Regional Director.*

[FR Doc. 02-6812 Filed 3-20-02; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Southern Idaho Ground Squirrel Candidate Conservation Agreement With Assurances

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

**ACTION:** Notice of availability.

**SUMMARY:** Soulen Livestock, Inc. (Soulen Livestock) has applied to the Fish and Wildlife Service (Service) for an enhancement of survival permit pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended. The permit application includes a proposed Southern Idaho Ground Squirrel Candidate Conservation Agreement with Assurances (Agreement) between Soulen Livestock, the Service, the Idaho Department of Fish and Game, and the Idaho Governor's Office of Species Conservation.

Under the proposed Agreement, the parties would implement conservation measures for southern Idaho ground squirrels (*Spermophilus brunneus endemicus*) over approximately 43,145 acres of Soulen Livestock's land in Washington and Payette Counties, western Idaho. The intent of the Agreement is to conserve southern Idaho ground squirrels by protecting and enhancing ground squirrel habitat and populations, and reintroducing ground squirrels into currently unoccupied suitable habitat, in a manner that is consistent with Soulen Livestock's farming and ranching operations. The proposed term of the Agreement and the permit is 20 years. The Service has prepared an Environmental Assessment for approval of the Agreement and issuance of the permit.

We request comments from the public on the permit application, Agreement, and the Environmental Assessment. All comments we receive, including names and addresses, will become part of the administrative record and may be released to the public.

**DATES:** Written comments should be received on or before April 22, 2002.

**ADDRESSES:** Comments should be addressed to Dennis Mackey, Project Biologist, Fish and Wildlife Service, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709, (facsimile: 208/378-5262).

**FOR FURTHER INFORMATION CONTACT:** Dennis Mackey at the above address or telephone 208/378-5267.

#### SUPPLEMENTARY INFORMATION:

##### Document Availability

You may obtain copies of the documents for review by contacting the individual named above. You also may make an appointment to view the documents at the above address during normal business hours.

##### Background

Under a Candidate Conservation Agreement with Assurances, participating landowners voluntarily implement conservation activities on their property to benefit unlisted species that are proposed or candidates for listing under the Endangered Species Act, or other sensitive species. Candidate Conservation Agreements with Assurances encourage private and other non-Federal property owners to implement conservation efforts, and reduce threats to unlisted species by assuring landowners that they will not be subjected to increased property use restrictions, beyond those identified in the agreement, if the species is listed in the future under the Endangered Species Act. Application requirements and issuance criteria for enhancement of survival permits through Candidate Conservation Agreements with Assurances are found in 50 CFR 17.22(d) and 17.32(d).

On October 30, 2001, the Service formally identified the southern Idaho ground squirrel as a candidate for listing under the Endangered Species Act (66 FR 54807). Southern Idaho ground squirrels are currently found within an approximately 518,000-acre area comprised of lower elevation shrub/steppe habitat in the Weiser River Basin, in southwest Idaho. The species appears to have undergone a substantial population decline throughout its range since 1985. Southern Idaho ground squirrels are largely dependent on private lands: 85 percent of the occupied ground squirrel sites are located on private lands, mostly ranches and farms; 12 percent are under federal management by the Bureau of Land Management; and 3 percent of the sites are on lands managed by the Idaho Department of Lands. Conservation measures implemented on private lands are important for the long-term survival of the species.

Landowners may be willing to implement measures that enhance populations of sensitive species on their property, but reluctant to do so because of potential land-use restrictions that could occur should the species

eventually be listed under the Endangered Species Act. As a result of this potential regulatory concern, Soulen Livestock developed the Southern Idaho Ground Squirrel Candidate Conservation Agreement with Assurances, in cooperation with the agencies, and is applying to the Service for a permit under section 10(a) of the Endangered Species Act, authorizing incidental take of southern Idaho ground squirrels.

Under the proposed Agreement and permit, Soulen Livestock and the agencies would implement various conservation measures over the 43,145 acres of Soulen Livestock's property depending on present and future occupancy of sites by southern Idaho ground squirrels and the location of ground squirrel reintroduction/translocation sites. The proposed conservation measures can be described in three categories: (1) Measures to be applied on all 43,145 acres; (2) measures that would occur on currently occupied ground squirrel sites (30 acres); and (3) measures on 43,115 acres where ground squirrel occupancy and habitat suitability is currently unknown. On all 43,145 acres of enrolled lands, Soulen Livestock would not authorize the shooting, trapping, or poisoning of southern Idaho ground squirrels and would allow agency personnel access to these lands to conduct ground squirrel surveys. Currently, three sites, covering 30 acres have been identified in the site-specific plan as occupied by southern Idaho ground squirrels and specific conservation measures have been identified at these sites to protect ground squirrels from activities that may have adverse effects to individual ground squirrels or their habitat. The ground squirrel conservation measures on the 30 acres include: (1) Continue reintroduction efforts, (2) monitor ground squirrel populations and habitat characteristics to identify habitat enhancement/rehabilitation measures; (3) implement habitat enhancement measures such as seeding native or non-native vegetation species, fertilizing vegetation, prescribed burning, and providing escape cover; (4) minimize direct mortality from ground disturbing activities; (5) provide supplemental feeding, if necessary; (6) prohibit shooting, trapping, or poisoning of ground squirrels; and (7) control Columbian ground squirrels and badgers. Columbian ground squirrels compete with southern Idaho ground squirrels for food and burrow sites. Badgers can cause severe impacts on prey species, especially if they are at critically low numbers. The remaining

43,115 acres have not been surveyed for ground squirrel occupancy, and no site-specific conservation measures have been identified on these lands. On these unsurveyed lands, both individual ground squirrels and their habitat will be protected from land use activities that may have adverse effects at any sites identified in the future as occupied by southern Idaho ground squirrels, or sites identified by the agencies as reintroduction/translocation sites. The permit would authorize incidental take of southern Idaho ground squirrels as a result of Soulen Livestock's land use activities: crop cultivation and harvesting, livestock grazing and production, farm equipment operation, and recreational activities.

We provide this notice pursuant to section 10(c) of the Endangered Species Act and implementing regulations for the National Environmental Policy Act (40 CFR 1506.6). We will evaluate the permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Endangered Species Act and National Environmental Policy Act regulations. If we determine that the requirements are met, we will sign the Agreement and issue an enhancement of survival permit under section 10(a)(1)(A) of the Endangered Species Act to Soulen Livestock for take of southern Idaho ground squirrels incidental to otherwise lawful activities in accordance with the terms of the Agreement. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

Dated: March 1, 2002.

**Rowan W. Gould,**

*Deputy Regional Director, Fish and Wildlife Service, Portland, Oregon.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[AZ-020-034-1010-02]

**Closure of Public Lands to Camping and Off-Highway Vehicle Use**

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

**ACTION:** Notice of closure of public lands to camping and off-highway vehicle use.

**SUMMARY:** Notice is hereby given that the following described lands are temporarily closed until further notice to camping and off-highway vehicle use

for the protection of public health and safety under the provisions of 43 CFR 8364.1 and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701). Persons with authorization to utilize the area by BLM regulations, contracts, leases or permits, may use the area described in accordance with those authorizations. Nothing in this closure effects the exercise of valid existing rights created by a contract, right-of-way, lease, permit or mining claim that is carried out in accordance with the regulations under which the rights were established. The closure will remain in effect until rescinded or modified by the Phoenix Field Manager.

**Gila and Salt River Meridian, Arizona**

T. 1 N., R. 7 E.,

Sec. 18, Lots 6, 13, 15-19, 21, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ .

T. 2 N., R. 1 W.,

Sec. 13, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 24, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

**EFFECTIVE DATE:** This order is effective upon the signature of the authorized officer.

**SUPPLEMENTARY INFORMATION:** The public lands involved (approximately 301 acres), located at University Drive/Sossman Road and Camelback Road/Agua Fria River, are adjacent to areas of expanding urban development. Unregulated and extended overnight camping and off-highway vehicle use is not consistent with the orderly growth of the communities and presents health, safety and law enforcement problems.

Fugitive dust resulting from operation of off-highway vehicles in air quality non-attainment areas is a growing and continuing problem. Landowner compliance with Maricopa County and State of Arizona dust abatement and management regulations is becoming critical in the urban areas of Maricopa County. BLM is subject to these rules, especially Maricopa County Rules 301, 302, and 310.01. Air quality issues include considerable PM10 dust from the operation of off-highway vehicles, extensive PM10 accumulations from OHV activities during late afternoons and on weekends, and significant numbers of complaints from concerned citizens.

Increasing levels of local law enforcement time have been allocated to answering disturbance calls from residents and property owners adjacent to these public lands. Law enforcement service calls included OHV-related dust, noise, trespass, random gunfire, drug and alcohol violation arrests, fireworks use, suspicious circumstance calls, illegal dumping of dirt, debris and trash and other illicit activities.

This closure will be monitored and enforced by BLM, the Maricopa County Sheriff's Department and other law enforcement agencies. The following persons, operating within the scope of their official duties, are exempt from the provisions of these closures: BLM employees, state or federal law enforcement and fire protection personnel.

Because of prior existing rights, the following parties (and their representatives) will be allowed access to the above described lands:

- (1) USDI, Bureau of Reclamation—(AZA-453, AZA-18823, AZA-19991, AZPHX-086506, AZPHX-86777 and Secretarial Orders dated July 2, 1902 and August 21, 1909)  
U.S. West—(AZA-10994, AZAR-035574)  
City of Mesa—(AZA-17277, AZA-31058)  
Maricopa County DOT—(AZAR-035348)
- (2) Salt River Project—(AZA-166)  
Tucson Electric Power Co.—(AZA-7274, AZA-7872)  
Arizona Public Service Co.—(AZA-18635)  
Maricopa County DOT—(AZA-19098)  
Maricopa County FCD—(AZA-23639)

**Order:** Notice is hereby given that effective the date of a signature by the authorized officer of this notice, the above described lands are closed to camping and off-highway vehicle use until further notice. Any person who fails to comply with a closure or restriction order issued under 43 CFR 8364 is subject to the penalties provided in 43 CFR Subpart 8360.0-7.

**FOR FURTHER INFORMATION CONTACT:**

Michael A. Taylor, Field Manager, Phoenix Field Office, 21605 North 7th Avenue, Phoenix, Arizona 85027, (623) 580-5500.

Dated: December 19, 2001.

**Michael A. Taylor,**  
*Field Manager.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[NV-033-02-1230-EA]

**Temporary Closure of Public Lands—Recreation Special Events: Nevada, Carson City Field Office**

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

**ACTION:** Temporary closure of affected public lands in Lyon, Storey, Churchill, Carson, Douglas, Mineral and Washoe Counties on and adjacent to permitted special events such as: Motorized Off Highway Vehicle, Mountain Bike, Horse Endurance competitive event sites and routes.