

and Wildlife Service, Kirwin National Wildlife Refuge, 702 East Xavier Road, Kirwin, Kansas 67644; telephone: 785-543-6673; fax: 785-543-5464; or e-mail: [craig\\_mowry@fws.gov](mailto:craig_mowry@fws.gov).

**SUPPLEMENTARY INFORMATION:** Consisting of 10,778 acres, Kirwin NWR was established in 1954 as an overlay Refuge on a U.S. Bureau of Reclamation (Reclamation) irrigation and flood control reservoir. Reclamation owns the land and controls reservoir water levels. The Service staff manage all other activities on the land and water. The purpose of the Refuge is for the “\* \* \* conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon \* \* \*” 16 U.S.C. 715d (Fish and Wildlife Coordination Act), with an emphasis on migratory birds.

This Draft CCP/EA identifies and evaluates two alternatives for managing Kirwin NWR for the next 15 years. Alternative A, the No Action Alternative, proposes continuation of current management of the Refuge. The Refuge will continue to be managed in accordance with the current Memorandum of Agreement (MOA) between Reclamation and the Service; the Cooperative Agreement with the Kansas Department of Wildlife and Parks (KDWP); and the Kirwin Comprehensive Management Plan (CMP), completed in 1996. Alternative B (Proposed Action) emphasizes wildlife, habitat, and wildlife-dependent public use. This alternative fully strives to implement the Improvement Act, which directs that each refuge shall be managed to fulfill both the mission of the National Wildlife Refuge System and the individual purpose of the refuge. Under this alternative, management emphasis will be placed on wildlife and habitat management for migratory birds and species of conservation concern. Wildlife-dependent recreation uses (*i.e.*, hunting, fishing, wildlife observation, photography, interpretation, and environmental education) will be promoted and emphasized. Non-wildlife-dependent uses such as water skiing, jet skiing, personal watercrafts, camping, swimming, horseback riding, campfires, volleyball, basketball, power/speed boating, and fishing tournaments would be discontinued.

The Proposed Action was selected because it best meets the purpose and goals of Kirwin NWR, as well as the mission of the National Wildlife Refuge System. The Proposed Action will improve Refuge habitat to benefit migrating waterfowl, neotropical migrants, shore birds, and federally

listed species. Habitat improvements will enhance the quality of wildlife-dependent public use programs by attracting more wildlife to the area. Additional wildlife-dependent public use programs will be added where feasible. Environmental education and partnerships will result in greater support of Kirwin NWR and the National Wildlife Refuge System. Cultural and historical resources will be protected.

Dated: August 12, 2006.

**Sharon R. Rose,**

*Regional Director, Region 6, Denver, CO.*

Editorial note: This document was received at the Office of the Federal Register March 21, 2006.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Endangered and Threatened Wildlife and Plants; Reopening and Widening/Expansion of a 5-Year Review of the West Indian Manatee (*Trichechus manatus*)

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

**ACTION:** Notice; request for information.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), announce the amendment of an ongoing 5-year review of the West Indian manatee (*Trichechus manatus*) under section 4(c)(2)(A) of the Endangered Species Act of 1973 (Act). On April 14, 2005, we initiated a 5-year review only for the Florida manatee subspecies (*Trichechus manatus latirostris*) of this species. We now expand the scope of this 5-year review to include the entire species. We request that the public submit any applicable information on the West Indian manatee that has become available since its original listing. Based on the results of this 5-year review, we will make the requisite determination under section 4(c)(2)(B) of the Act.

**DATES:** To allow us adequate time to conduct this review, we must receive your information no later than June 13, 2006. However, we will continue to accept new information about any listed species at any time.

**ADDRESSES:** Submit information to the U.S. Fish and Wildlife Service, Jacksonville Ecological Services Office, 6620 Southpoint Drive South, Suite 310, Jacksonville, FL 32216. Information received in response to this notice and review will be available for public inspection, by appointment, during

normal business hours, at the above address. Information may also be sent via e-mail to [manatee@fws.gov](mailto:manatee@fws.gov).

#### FOR FURTHER INFORMATION CONTACT:

Dawn Jennings at the above address, or at 904-232-2580, ext. 114.

**SUPPLEMENTARY INFORMATION:** We listed the Florida manatee (*Trichechus manatus latirostris*), a subspecies of the West Indian Manatee, as endangered in 1967 under the Endangered Species Preservation Act of 1966 (80 Stat. 926; 16 U.S.C. 668aa(c)). In 1970, we listed the West Indian manatee (*Trichechus manatus*) in our U.S. List of Endangered Foreign Fish and Wildlife by amending and adding names to the First List of Endangered Foreign Fish and Wildlife (Appendix A under 50 CFR Part 17. (35 FR 8491, June 2, 1970)). The earlier listing of the Florida manatee was incorporated into the listing of the West Indian manatee. The West Indian manatee is currently listed as an endangered species under the Act (16 U.S.C. 1531 *et seq.*) and the population is further protected as a depleted stock under the Marine Mammal Protection Act (16 U.S.C. 1361-1407).

Under the Act, the Service maintains a list of endangered and threatened wildlife and plant species (List) at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2)(A) of the Act requires that we conduct a review of listed species at least once every 5 years to ensure that the listing classification of a species is accurate. On the basis of such reviews under section 4(c)(2)(B), we determine whether or not the species should be removed from the List (delisted), or reclassified from endangered to threatened or from threatened to endangered. If we determine that a change in classification is not warranted, the West Indian manatee will remain on the List under its current status. Delisting a species must be supported by the best scientific and commercial data available and only considered if such data substantiates that the species is neither endangered nor threatened for one or more of the following reasons: (1) the species is considered extinct; (2) the species is considered to be recovered; and/or (3) the original data available when the species was listed, or the interpretation of such data, were in error. Any change in Federal classification would require a separate rulemaking process. The regulations in 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species currently under active review.

On April 14, 2005, (70 FR 19780), we initiated a 5-year review for the Florida manatee subspecies only. By this notice,

we announce that we are amending and reopening this 5-year review to include the entire West Indian manatee subspecies.

### Public Solicitation of New Information

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

The 5-year review considers the best scientific and commercial data and all new information that has become available since the listing determination or most recent status review. Categories of requested information include (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 that benefit the species; (D) threat status and trends; 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, and improved analytical methods. 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.

If you wish to provide information for this 5-year review, you may submit your comments and materials to the U.S. Fish and Wildlife Service's Jacksonville, Florida Ecological Services Office (see **ADDRESSES**). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Respondents may request that we withhold a respondent's identity, as allowable by law. If you wish us to withhold your name or address, you must state this request prominently at the beginning of your comment. We will not, however, consider anonymous comments. To the extent consistent with applicable law, we will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety. Comments and materials received will

be available for public inspection, by appointment, during normal business hours (see **ADDRESSES**).

### Authority

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: March 2, 2006.

**Cynthia K. Dohner,**

*Acting Regional Director, Southeast Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-040-1320-EL, WYW160394]

### Notice of Availability (NOA) of a Draft Environmental Impact Statement (DEIS) for the Pit 14 Coal Lease-by-Application (LBA) and Federal Coal Notice of Hearing, Wyoming

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

**ACTION:** Notice of availability.

**SUMMARY:** NOA of the DEIS for the Pit 14 Coal LBA, a maintenance lease for Federal coal in the decertified Green River-Hamms Fork Coal Production Region, Wyoming and Notice of Public Hearing.

**DATES:** The DEIS will be available for review and comment for 60 calendar days from the date the Environmental Protection Agency (EPA) publishes its NOA in the **Federal Register**. The Bureau of Land Management (BLM) can best use comments and resource information if they are submitted by, or before, close of business the day of the end of the comment and review period. If you are uncertain as to what constitutes acceptable comment format or when comments are due, please contact the Project Manager or the Rock Springs Field Office at the address below. The public hearing will be held at 2 p.m. MST, on May 10, 2006, at the BLM, Rock Springs Field Office, 280 Highway 191 North, Rock Springs, Wyoming, to solicit comments on the DEIS from the public on the proposed competitive sale of the Federal coal included in the Pit 14 LBA and on the fair market value and maximum economic recovery of the Federal coal included in the tract.

**ADDRESSES:** A copy of the DEIS was sent to affected Federal, State, and local government agencies and to interested parties. The document may also be available electronically on the following

Web site: <http://www.wy.blm.gov/nepa/nepadocs.htm>. Copies of the DEIS will be available for public inspection at the following locations:

- Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82003.

- Bureau of Land Management, Rock Springs Field Office, 280 Highway 191 North, Rock Springs, Wyoming 82901.

**FOR FURTHER INFORMATION CONTACT:** Teri Deakins, Project Manager, BLM Rock Springs Field Office, 280 Highway 191 North, Rock Springs, WY 82901.

Requests for information may be sent electronically to: [rocksprings\\_wymail@blm.gov](mailto:rocksprings_wymail@blm.gov) with "Attention: Pit 14 Coal Lease-by-Application DEIS Information Request" in the subject line. Ms. Deakins may also be reached at (307) 352-0211.

**SUPPLEMENTARY INFORMATION:** Black Butte Coal Company (BBCC) filed a lease application with BLM to access Federal coal reserves located adjacent to their existing Black Butte Mine in Sweetwater County, Wyoming. The LBA tract is located approximately 28 miles southeast of Rock Springs, Wyoming. The LBA tract is composed of the following public lands and minerals.

T. 17 N., R. 101 W., 6th PM, Wyoming Sec. 2, Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ ; Sec. 4, Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ; Sec. 10, NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ;

T. 18 N., R. 101 W., 6th PM, Wyoming Sec. 34, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ .

Containing 1399.48 acres, more or less.

BBCC estimates approximately 34.6 million tons of in-place coal reserves are present in the Upper Cretaceous Almond Formation within the project area. The project area contains the LBA tract and privately held lands and minerals. BLM will evaluate the volume and average quality of the coal reserves in the LBA portion of the project area as part of the fair market value determination process.

The BLM published its Notice of Intent to prepare an EIS for the Pit 14 Coal Lease-by-Application (Federal Coal Lease Application WYW160394) in the **Federal Register** on January 7, 2005. Based upon issues and concerns identified during scoping and during the development of National Environmental Policy Act (NEPA) analysis, the Pit 14 Coal Lease-by-Application DEIS focuses on individual and cumulative impacts to air quality, biological and physical resources, transportation, and socio-economics factors. In compliance with Section 7(c), of the Endangered Species Act, as amended, the DEIS includes a