

Dated: August 29, 1996.
James W. Shaw,
Associate Director for Royalty Management.
[FR Doc. 96-22764 Filed 9-5-96; 8:45 am]
BILLING CODE 4310-MR-P

**Agency Information Collection
Activities: Submission for Office of
Management and Budget Review;
Comment Request**

AGENCY: Mineral Management Service (MMS), Interior.

ACTION: Notice of extension of a currently approved collection.

SUMMARY: The Department of the Interior has submitted a proposal for the collection of information listed below to the Office of Management and Budget (OMB) for approval under the provisions of the Paperwork Reduction Act of 1995 (Act). The act requires that OMB provide interested Federal agencies and the public an opportunity to comment on information collection requests. The act also provides that an agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless it displays a currently valid OMB control number.

DATES: Submit written comments by October 7, 1996.

ADDRESSES: Submit comments and suggestions directly to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Department of the Interior (1010-0071), Washington, D.C. 20503.

Send a copy of your comments to the Chief, Engineering and Standards Branch, Mail Stop 4700, Minerals Management Service, 381 Elden Street, Herndon, Virginia 20170-4817.

FOR FURTHER INFORMATION CONTACT: Alexis London, Engineering and Standards Branch, Minerals Management Service, telephone (703) 787-1600. You may obtain copies of the proposed collection of information by contacting MMS's Clearance Officer at (703) 787-1242.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 203, Relief or Reduction in Royalty Rates.

OMB Number: 1010-0071.

Abstract: The Outer Continental Shelf Lands Act (OCSLA) and the Deep Water Royalty Relief Act (DWRRA) give the Secretary of the Interior the authority to reduce or eliminate royalty or any net profit share set forth in Outer Continental Shelf (OCS) oil and gas leases to promote increased production. The MMS interim final rule established the terms and conditions for granting

reductions in royalty rates under the OCSLA and royalty suspension volumes under the DWRRA for certain leases in existence before November 28, 1995. It also defines the information required for a complete application as required by 43 U.S.C. 1337(a)(3)(C). The interim final rule was published in the Federal Register on May 31, 1996 (61 FR 27263). The comment period has been extended to September 30, 1996 (61 FR 40734).

MMS will use the information to determine whether granting a royalty relief request will result in the production of resources that would not be produced without such relief. An application for royalty relief must contain sufficient financial, economic, reservoir, geologic and geophysical, production, and engineering data and information for MMS to determine whether relief should be granted according to applicable law. The Application also must be sufficient to determine whether the requested relief will result in an ultimate increase in resource recovery and receipts to the Federal Treasury and provide for reasonable returns on project investments. The applicant's requirement to respond is related only to a request to obtain royalty relief. The applicant has no obligation to make such a request.

Description of Respondents: Federal OCS oil and gas leases.

Frequency: On occasion.

Estimated Number of Respondents: 130 respondents making an estimated 52 applications per year.

Estimated Total Annual Burden on Respondents: 34,530 burden hours.

Estimate of Total Other Annual Costs to Respondents:

(a) Application processing cost: average \$21,800 per application for an estimated burden of \$1,133,600.

(b) Some applications will require a report prepared by an independent certified public accountant: average \$87,500 per application for an estimated burden of \$3,587,500.

Type of Request: Extension of currently approved collection.

Form Number: N/A.

Comments: The OMB is required to make a decision concerning the proposed collection of information between 30 and 60 days after publication of this notice in the Federal Register. Therefore, a comment to OMB is best ensured of having its full effect if OMB receives it by no later than October 7, 1996.

Bureau Clearance Officer: Carole deWitt (703) 787-1242.

Dated: August 15, 1996.
E.P. Danenberger,
*Acting Deputy Associate Director for
Operations and Safety Management.*
[FR Doc. 96-22820 Filed 9-5-96; 8:45 am]
BILLING CODE 4310-MR-M

National Park Service

**Record of Decision, Pictured Rocks
National Lakeshore; Final
Environmental Impact Statement:
Beaver Basin Rim Road**

Introduction

Pursuant to regulations promulgated by the Council on Environmental Quality (40 CFR Section 1505.2) and the implementing procedures of the National Park Service for the National Environmental Policy Act of 1969 (40 USC 1501 *et seq.*), the National Park Service has prepared this *Record of Decision* with respect to the *Final Environmental Impact Statement: Beaver Basin Rim Road*, Pictured Rocks National Lakeshore, Michigan.

This Record of Decision describes the road provision alternatives that were considered, mitigating measures adopted to avoid or minimize environmental impacts, and the decision reached.

Decision

The National Park Service adopts the proposed (preferred) alternative (Alternative B), which is to construct a two-lane paved road of approximately 13 miles length within the shoreline zone of the Pictured Rocks National Lakeshore.

The road would run from the vicinity of Legion Lake near the intersection of the Little Beaver Campground entrance road with Alger County Road H-58 northeasterly to near the Twelvemile Beach Campground entrance road intersection with Alger County H-58. The road impact on the environment would be minimal.

In constructing the road as described under Alternative B, the National Park Service would be complying with the direction of the Congress as stipulated in Public Law 89-668 [80 Stat. 922 sec. 6(b)(1)] to provide a scenic drive within the shoreline zone of the national lakeshore. The adopted alternative is consistent with this congressional mandate and would implement the management directions of the *General Management Plan, Pictured Rocks National Lakeshore (NPS, USDI 1981)*. The National Park Service takes the position that, in the absence of environmental impacts precluding construction of the road, it must comply

with this express congressional direction, and that it should implement the related provisions of the 1981 *General Management Plan*.

In issuing this decision, the National Park Service recognizes that there is considerable public opposition to this action despite the findings of the environmental impact analysis and the congressional direction to construct the scenic shoreline drive. In response to that opposition and efforts of members of the 104th Congress to eliminate by means of amendatory legislation the congressionally mandated scenic drive, the National Park Service will take no immediate action to implement this project. If legislation in the form of an amendment to P.L. 89-688 (section 6 (b)(1)) is enacted, the National Park Service will revise the general management plan for Pictured Rocks National Lakeshore to be consistent with the direction of such legislation.

Alternatives Considered

The environmental impact statement analyzed three road provision alternatives. Alternative A: No Action (Continuation of Existing Conditions), Alternative B: Shoreline Zone Corridor (Proposed Action), and Alternative C: Inland Buffer Zone Corridor.

The environmental impact statement considered and eliminated from further consideration three other alternatives for the location and design of the shoreline road. These three alternatives were offered during preparation of the environmental impact statement: (1) Upgrading County Road H-58, (2) Construct a Paved Trail, and (3) Construct a Gravel Road. The upgrading of County Road H-58 had been previously evaluated and rejected as alternative 3 in the environmental assessment prepared in 1981 for the *General Management Plan, Pictured Rocks National Lakeshore*.

Alternative B: Shoreline Zone Corridor (Proposed Action)

Construction activities associated with the adopted alternative would directly affect 82 acres of mixed northern hardwood and pinelands forest vegetation. Of the 82 acres, 47 would be replanted with grasses and forbs upon completion of the road. Another two acres would be cleared for two scenic overlooks of the Beaver Basin area of the park. The road corridor is entirely within the shoreline zone on lands owned by the National Park Service. No land acquisition would be required. Most of the road would be located 400 feet or more back (south and east) of the Beaver Basin Rim. Existing old road traces totaling about 5 percent of the

entire road would be used wherever possible. Two spur roads would be constructed off the main road to two overlooks that would provide views of Beaver Basin, Beaver Lake, Grand Portal Point, Lake Superior, and the Sevenmile Creek area.

There are no threatened or endangered species affected. However, the National Park Service would undertake further section 7(c) of the Endangered Species Act consultation with the U.S. Fish and Wildlife Service with respect to potential impacts on the eastern timber wolf, in particular, and other species prior to the initiation of any construction activity.

Due to the road construction, there would be a temporary, minor effect on air quality and a temporary, major increase in noise levels. Also, there would be minor increases in pollutants from automobile and bus traffic and a minor to moderate increase in noise due to projected use of the new road. There would be a minor overall impact on park soils and vegetation resulting from construction of the main road, spur roads, parking areas, and overlooks. Impacts on wildlife populations, including recovery of the eastern timber wolf, would be relatively minor. There would be no impacts on cultural resources because there are no extant buildings, and an archeological survey found no significant sites. The anticipated increase in visitation would cause some components of the existing visitor experiences to be lost, but a new experience would be offered. Significant social impacts, particularly in the Grand Marais area, would be caused by increased traffic and decreased tranquility. There could be a significant increase in visitor expenditures in Munising and Grand Marais. An increase in seasonal NPS staff would be necessary to provide law enforcement and maintenance for the new section of road and its associated spur roads, parking areas, and overlooks.

Alternative C: Inland Buffer Zone Corridor

The road would be located generally parallel to the proposed alignment of alternative B about 800 feet south and east of the Beaver Basin Rim to a point east of the Sevenmile area where it would turn directly east across the Kingston Plains to intersect with Alger County H-58 north of Kingston Lake. It would be situated on largely non-NPS owned lands within the park inland buffer zone.

Construction activities associated with a road within the inland buffer zone of the park are similar to those of alternative B. The overlook locations

would be the same as those for alternative B, and old road traces would be used wherever possible for the new road. Approximately 87 acres of forest vegetation (mixed northern hardwoods and pineland) would be effected with 38 acres permanently lost and 49 acres replanted to grasses and forbs. The length of this road would be 11.5 miles. The National Park Service would be required to acquire 2,560 acres of land (330 acres by donation from the State of Michigan).

Impacts for air quality, noise, soils, vegetation, wildlife, cultural resources, visitor use and experience, socioeconomic environment, and park operations would be similar to those of alternative B. As in the case of alternative B., the National Park Service would initiate further section 7(c) Endangered Species Act consultation with the U.S. Fish and Wildlife Service with respect to the eastern timber wolf and other threatened and endangered species prior to beginning any construction.

Alternative A: No Action (Continuation of Existing Conditions)

In alternative A (no-action alternative), the current management of Pictured Rocks National Lakeshore would continue. A new park road would not be built, and existing park roads would be maintained at current levels. Access into the park would not change. Visitors would continue to drive outside the park, primarily through the park's inland buffer zone on county road H-58 or on state highways 28 and 77, to get from one end of the park to the other. This alternative would not be consistent with the intent of Public Law 89-668, which directed NPS development of a scenic drive within the shoreline zone of the national lakeshore.

Overall impacts on air quality, noise, soils, vegetation, wildlife (including recovery of the eastern timber wolf), and visual resources/quality would be minor because no new road construction actions would be taken that affect these resources. There would be no impacts on cultural resources. If current visitation rates continue, there would be a significant increase in the number of visitors to the park by 2003, but the effect on the visitor experience should be negligible. If visitation increased, there would be a significant increase in visitor expenditures as well as a significant change in the lifestyle for residents of Grand Marais. In order to provide the appropriate level of services, the park would need to increase its seasonal staff.

Other Alternatives

(1) Upgrading County Road H-58

Analyzed and rejected as alternative 3 of the environmental assessment for the 1981 *General Management Plan, Pictured Rocks National Lakeshore*, the upgrade and paving of existing county road H-58 from Legion Lake to the Twelvemile Beach Campground was proposed by participants in the EIS preparation process. A spur road would be built to a proposed new overlook at Beaver Basin. Except for a small section of road near the Twelvemile Beach Campground and the overlook spur road, the proposed park road would be located either completely outside the park boundary or in the inland buffer zone. Under this alternative, H-58 would continue to be a county road and would be maintained by the county. The road would continue to be open to commercial traffic and groomed for snowmobile use.

This alternative was rejected from analysis for several reasons. First, H-58 existed prior to the park's enabling legislation (80 Stat. 922), and as such it could not qualify as the scenic shoreline drive authorized by the act. The legislative history of the enabling legislation specifically states that the shoreline drive is to be built within the park's shoreline zone. Designating this portion of H-58 as the shoreline drive would not be consistent with congressional intent. For these reasons, the Department of the Interior's regional solicitor concluded that H-58 could not qualify as the scenic shoreline drive authorized by Congress.

In addition to the above legislative requirements, most of H-58 between Legion Lake and Twelvemile Beach Campground is too far from the actual Lake Superior shoreline to reasonably be considered a shoreline drive. Also, H-58 is not owned or maintained by the National Park Service and portions are not within the park boundary. The park Service has no authority or funding source to upgrade a county (or state) owned roadway. The Park Service could not manage use of the road or the adjacent land. Using H-58 as the shoreline drive does not separate park visitor traffic from local or commercial traffic. Thus, a park experience is not provided to visitors by upgrading H-58. Finally, visitors still would have to drive outside the park and would not have access to the center of the park.

(2) Construct a Paved Trail

Several individuals and groups proposed that the National Park Service construct a paved trail for nonmotorized use instead of a new road. This new trail

could be used by hikers, bikers, horses, and visitors in wheelchairs. Presumably, it would follow the same alignment as the proposed road. This alternative was rejected because it would be inconsistent with both the park's enabling legislation (which called for development of a shoreline drive) and the 1981 *General Management Plan* (which called for construction of a road along the rim of Beaver Basin). In addition, this trail would serve only a small segment of the public. Many more park visitors probably would drive a road than would walk or bike on a 13-mile-long trail through the woods.

(3) Construct a Gravel Road

An alternative was advanced to construct a new road with a gravel surface instead of pavement. This alternative would be inconsistent with the park's general management plan, which called for the main east-west road through the park (including the new road) to be paved. Constructing a gravel surface road would not eliminate environmental impacts. Although a gravel road would be partially permeable to precipitation and would be less expensive to construct, it would result in many of the same impacts as a paved road (e.g., increased noise, loss of vegetation, wildlife disturbance). In addition, a gravel road would result in increased dust and increased potential for erosion and vehicle damage, and would require more routine maintenance than a paved road.

Measures To Minimize Harm

This record of decision incorporates mitigation measures identified in the Final Environmental Impact Statement (*Mitigating Measures* pages 29-33) and in the section 7(c) Endangered Species Act consultation comments of the U.S. Fish and Wildlife Service.

Several design features of the road and management actions will help minimize natural resource impacts of the road. These include siting the road away from the escarpment, designing it as a two-lane roadway with a posted speed of 35 mph, prohibiting commercial vehicles (except tour buses), not plowing the road in winter, eliminating by reclaiming all "two tracks" and trails providing vehicle and pedestrian access into the Beaver Basin from the escarpment, and prohibiting parking along the road except at the two overlooks provided.

Specific actions to be taken to minimize harm are described in the Final Environmental Impact Statement under the following subject classifications: Road Design and Construction (pages 29-30), Air Quality

and Noise (pages 30-31), Water Quality (page 31), Soils (pages 31-32), Vegetation (page 32), Wolves (page 32), Public Use of the Road (pages 32-33), and Federal Highway Administration Preconstruction Contract Requirements (page 33). Among the specific actions to be taken to minimize the road impacts would be the revegetation of disturbed areas with native plantings. The basis for this revegetation program would be preparation of a native plants revegetation plan and the subsequent propagation of plant materials to be used in the reclamation.

Comments on the Final EIS

The National Park Service received a total of 699 written responses regarding the draft Environmental Impact Statement. Additional responses were received regarding the Final Environmental Impact Statement. Two were responses from other federal agencies and six responses were from state, county, and local agencies. Twenty responses were from private groups or organizations. All comments received were reviewed in preparing this record of decision, and it was concluded that all issues relevant to the adequacy of the *Final Environmental Impact Statement: Beaver Basin Rim Road* have been addressed.

Conclusion

Following evaluation of the public review comments concerning the alternatives and environmental impacts presented in the draft environmental impact statement, and considering the legislative mandate to develop a scenic shoreline drive, the National Park Service believes that the selected alternative is the legally consistent course of action for development and management of Pictured Rocks National Lakeshore. However, in response to considerable public opposition to this proposed road, and the efforts of members of Congress to eliminate the legislative requirement for this development, the National Park Service will take no immediate action to implement the project.

Dated: July 31, 1996.
William W. Schenll,
Field Director, Midwest Field Area.
[FR Doc. 96-22698 Filed 9-5-96; 8:45 am]
BILLING CODE 4310-70-P

Cape Cod National Seashore, South Wellfleet, MA; Cape Cod National Seashore Advisory Commission Meeting

Notice is hereby given in accordance with the Federal Advisory Committee