

Applicant

Scott Ellis plans to conduct nocturnal black-footed ferret surveys on a 150-acre prairie dog colony. Permit number PRT-804124 has been assigned to this applicant, and this permit is valid for a period of 2 years.

Nancy M. Kaufman,

Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 96-10325 Filed 4-25-96; 8:45 am]

BILLING CODE 4510-55-P

Availability of a Revised Habitat Conservation Plan and Supplement to a Previously Circulated Environmental Assessment Evaluating Proposed Issuance of Incidental Take Permit PRT-803743 to the City of Poway and Its Redevelopment Agency in San Diego County, CA

AGENCY: Fish and Wildlife, Interior.

ACTION: Notice of availability.

SUMMARY: The City of Poway and its Redevelopment Agency (applicants) have applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (PRT-803743) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The application package includes a Subarea Habitat Conservation Plan (HCP) and Implementing Agreement (IA). The proposed incidental take would occur as a result of habitat disturbance associated with residential and limited municipal development in the City of Poway, San Diego County, California.

The requested permit would authorize the incidental take of 4 animal species listed as endangered and 2 animal species listed as threatened. The applicants also have requested coverage for an additional 37 unlisted, sensitive species (11 plant, 26 animal), including three proposed endangered species. Of these 43 species, 22 are known to occur within the City of Poway. The June 21, 1995, Notice of Availability (60 FR 32337) inadvertently omitted mention of the remaining 21 species. These 21 species either are not known to occur within Poway or the impacts of the HCP on the species were considered to be insignificant (discountable, minor in relationship to the species as a whole, or not reasonably expected to occur). The HCP proposes to conserve all 43 species according to standards required for listed species under the Act. The applicant has requested that all 43 species be included in the permit. In the event that any of the 43 species that are currently unlisted become listed in the

future, the permit would take effect upon the listing of those species.

An Environmental Assessment/Initial Study Mitigated Negative Declaration (EA/IS) for the proposed permit issuance and draft Subarea HCP was circulated for public review in June, 1995, in accordance with the National Environmental Policy Act (NEPA) and California Environmental Quality Act regulations (60 FR 32337). On August 15, 1995, the Poway City Council approved the Subarea HCP with the stipulation that participation in the HCP by private property owners would be optional, and not mandatory as originally proposed. Private property owners who do not wish to be included in the Subarea HCP and want to develop their property in a manner that would result in take of a listed species would obtain development approvals through the traditional endangered species permit process under either section 10 or section 7 of the Act. A supplemental EA has been prepared to evaluate the effects of changing the plan from mandatory to voluntary private landowner participation. The Subarea HCP also has been revised accordingly and an errata sheet prepared. This notice advises the public that the supplemental EA and revised HCP are available for review and comment. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public. This notice is provided pursuant to section 10(c) of the Act and NEPA regulations (40 CFR 1506.6).

DATES: Written comments should be received on or before May 28, 1996.

ADDRESSES: Comments regarding the adequacy of the supplemental EA and revised HCP should be addressed to Mr. Gail Kobetich, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, CA 92008; FAX (619) 431-9618.

FOR FURTHER INFORMATION CONTACT: Ms. Nancy Gilbert, Fish and Wildlife Biologist, at the above address, telephone (619) 431-9440.

SUPPLEMENTARY INFORMATION:

Availability of Documents

Copies of the Supplemental EA and HCP errata sheet will be sent to everyone on the original distribution list or who commented on the permit application during the initial public comment period. Other individuals who wish to receive copies of the supplemental EA or revised HCP for review should immediately contact Ms. Gilbert. Copies of the supplemental EA, Subarea HCP, HCP errata sheet, and

original permit application also may be viewed by appointment, during normal business hours, at the above address.

Background

The EA/IS, circulated in June 1995, evaluated four alternatives including the proposed action (issuance of the incidental take permit). The three alternatives to the proposed action are summarized below and incorporated by reference in the supplemental EA, but analysis of these alternatives is not repeated in the supplemental EA. Under the No Action Alternative, the proposed HCP would not be implemented. The applicants would either avoid take of listed species within the planning area, or apply for individual 10(a)(1)(B) permits on a project-by-project basis. Existing land use and environmental regulations would apply to all projects proposed within the planning area. Existing regulatory practices require mitigation for impacts to sensitive species and habitats resulting in lands being set aside for open-space preservation; however, greater habitat fragmentation would likely occur under the No Action Alternative than the Proposed Alternative because the lands set aside for open-space preservation would not be assembled in a coordinated preserve system. Under a 100 Percent Preservation of Mitigation Area Alternative, all identified habitat and species within the Mitigation Area would be preserved. Development would be prohibited within the proposed Mitigation Area boundary except on already disturbed areas where such development would not impact the viability of the proposed Mitigation Area. Under the Modified Mitigation Area Alternative, the proposed Mitigation Area boundary would consist only of lands already preserved in Poway; i.e., cornerstone lands as identified in the Subarea HCP, parcels purchased for mitigation of the Scripps-Poway Parkway Extension project, and slopes over 45 percent within the Mitigation Area.

Under the Proposed Alternative, changing participation in the Subarea HCP from mandatory to optional for private property owners could modestly increase impacts to native vegetation and species, as well as fragmentation in biological core and linkage areas important to overall preserve design. However, existing regulations that afford protection to listed species would reduce these effects. In cases where private property owners choose not to participate in the Subarea HCP, preservation of open space and avoidance or mitigation for biological impacts would still occur in accordance

with local, State, and Federal regulations, but possibly in a less organized, more piece-meal fashion. Consistent standards may not be followed, and open space linkages may be more difficult to plan, assemble, and maintain. In many cases, however, participation in the voluntary HCP is likely to benefit landowners in terms of time and money relative to obtaining individual permits under the Act, resulting in a strong incentive for owners of parcels supporting listed species to participate in the Subarea HCP. Given the large amount of public land dedicated as biological open space in Poway, the relatively low level of habitat impacts expected on private lands, and the strength of existing local, State, and Federal environmental protection regulations, adverse effects on listed species of changing the

Subarea HCP to optional participation for private property owners are expected to be minimal.

Dated: April 22, 1996.
Thomas J. Dwyer,
Deputy Regional Director, Region 1, Portland, Oregon.

[FR Doc. 96-10358 Filed 4-25-96; 8:45 am]

BILLING CODE 4310-55-P

Bureau of Indian Affairs

Request for Public Comment on Indian Education Topics

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Tribal Consultation on Indian Education Topics and Comment Period.

SUMMARY: Notice is hereby given that the Bureau of Indian Affairs (BIA) will conduct tribal consultation meetings to obtain comments concerning potential issues in Indian education programs. In addition to issues which may be raised by tribes and tribal organizations, the BIA has identified the following issues to be addressed at these meetings: School Attendance Boundaries, Element 10 Formula, National Performance Review Project and School Reform Initiative.

DATES: The dates and locations of the tribal consultation meetings are listed below. All meetings will begin at 9:00 a.m. and continue until 3:00 p.m., local time.

Date	Location	BIA contact and telephone number
May 1, 1996	UTEC, Bismarck, North Dakota	Cherie Farlee, (605) 964-8722.
May 2, 1996	Rode Way Inn, Green Bay, Wisconsin	Terry Portra, (612) 373-1090.
May 2, 1996	Southern Pueblos Agency, Albuquerque, New Mexico	Benjamin Atencio, (505) 766-3034.
May 2, 1996	Holiday Inn, Gallup, New Mexico	Andrew Tah, (520) 283-2218.
May 7, 1996	Tribal Council, Cherokee, North Carolina	LaVonna Weller, (703) 235-3233.
May 9, 1996	Marriott, Oklahoma City, Oklahoma	Judy Littleman, (405) 945-6051.
May 10, 1996	Area Office, Billings, Montana	Larry Parker, (406) 247-7953.
May 13, 1996	Area Office, Anchorage, Alaska	Robert Pringle, (907) 271-4115.
May 14, 1996	Holiday Inn, Phoenix, Arizona	Angelita Felix, (520) 262-3557.
May 15, 1996	Area Office, Sacramento, California	Fayette Babby, (916) 979-2560.
May 21, 1996	Red Lion, Pendelton, Oregon	John Reimer, (503) 872-2743.

All comments must be received by the close of business June 15, 1996. Written comments must be mailed to the Office of Indian Education Programs, MS-3512-MIB, OIE-32, 1849 C Street, NW, Washington, D.C. 20240, Attn: Mr. Goodwin K. Cobb III, or hand delivered to Room 3512 at the same address. Telefax responses may be transmitted to Mr. Cobb at (202) 273-0030.

FOR FURTHER INFORMATION CONTACT: Goodwin K. Cobb III or Dr. Jim Martin at the above address or call (202) 208-3550.

SUPPLEMENTARY INFORMATION: These tribal consultation meetings are a follow-up to similar meetings conducted by the BIA since 1990. The purpose of the tribal consultation, as required by 25 U.S.C. 2011(b), is to provide Indian tribes, school boards, parents, Indian organizations and other interested parties with an opportunity to comment on potential issues raised during previous consultation meetings or being considered by the BIA regarding Indian education programs. A consultation booklet is being distributed to federally recognized Indian tribes, BIA Area and Agency Offices and BIA-funded schools. The booklets will also be available from

local contact persons prior to and at each meeting.

Dated: April 17, 1996.
Ada E. Deer,
Assistant Secretary—Indian Affairs.
[FR Doc. 96-10303 Filed 4-25-96; 8:45 am]
BILLING CODE 4310-02-M

Bureau of Land Management

[MT-924-1430-01; MTM 83069]

Opening of Land in a Proposed Withdrawal; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The temporary 2-year segregation of a proposed withdrawal of 1,800.10 acres of National Forest System land for the Cave Mountain Research Natural Area expires on June 15, 1996, and the land will be open to mining. It has been and remains open to surface entry and mineral leasing.

EFFECTIVE DATE: June 15, 1996.

FOR FURTHER INFORMATION CONTACT: Sandra Ward, BLM Montana State

Office, P.O. Box 36800, Billings, Montana 59107, 406-255-2949.

SUPPLEMENTARY INFORMATION: A Notice of proposed withdrawal was published in the Federal Register, 59 FR 30951, June 16, 1994, which segregated the land described therein for up to 2 years from location and entry under the mining laws, subject to valid existing rights, but not from other forms of disposition which may by law be made of National Forest System land. The 2-year segregation expires June 15, 1996. The withdrawal application will continue to be processed, unless it is canceled or denied. The land is described as follows:

Principal Meridian, Montana

T. 10 S., R. 1 W.,

Sec. 31, lots 3 and 4, E $\frac{1}{2}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 32, NE $\frac{1}{4}$, W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and

W $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 11 S., R. 1 W.,

Sec. 5, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;

Sec. 6, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$.

The area described contains 1,800.10 acres in Madison County.

At 9 a.m., on June 15, 1996, the land will be opened to location and entry under the United States mining laws, subject to valid existing rights, the