

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Availability of a Habitat Conservation Plan and Receipt of an Application for an Incidental Take Permit for the Maxwell Irrigation District Canal Relocation Project, Colusa County, California**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability and receipt of application.

SUMMARY: This notice advises the public that the Maxwell Irrigation District (District) has applied to the Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The proposed permit would authorize the incidental take of the giant garter snake (*Thamnophis gigas*), federally listed as threatened, and modification of its habitat during construction of a new water conveyance canal and associated facilities in Colusa County, California. The permit would be in effect for 2 years.

The Service announces the receipt of the District's incidental take permit application and the availability of the proposed Canal Relocation Habitat Conservation Plan (Plan), which accompanies the incidental take permit application, for public comment. The Plan fully describes the proposed project and the measures the District would undertake to minimize and mitigate project impacts to the giant garter snake. The Service has determined that the District's Plan qualifies as a "low-effect" Habitat Conservation Plan as defined by the Service's Habitat Conservation Planning Handbook (November 1996). The Service has further determined that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). This notice is provided pursuant to section 10(c) of the Act.

DATES: Written comments on the permit application and Plan should be received on or before June 4, 1998.

ADDRESSES: Comments regarding the permit application or the Plan should be addressed to the Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Individuals wishing copies of the application and the Plan for review should immediately contact the above office. Documents also will be available

for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Lori Rinek or Mr. William Lehman, Sacramento Fish and Wildlife Office; telephone (916) 979-2129.

SUPPLEMENTARY INFORMATION: Section 9 of the Act and Federal regulation prohibit the "take" of a species listed as endangered or threatened, respectively (take is defined under the Act, in part, as to kill, harm, or harass). However, the Service, under limited circumstances, may issue permits to authorize "incidental take" of listed species (defined by the Act as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing permits for threatened species are promulgated in 50 CFR 17.32; regulations governing permits for endangered species are promulgated in 50 CFR 17.22.

Background

The District proposes to construct a new 2,500-foot long conveyance canal adjacent to an existing District canal and the Colusa Basin Drain (Colusa Drain), and a new siphon running underneath the Colusa Drain, to provide water for distribution directly to the District's service area. Currently, the District's existing canal runs west from its Sacramento River diversion for approximately 2.5 miles, where it meets the Colusa Drain. The District's water is then discharged into the Colusa Drain from the existing District canal, where it is co-mingled with water drained from approximately 450,000 acres of non-District agricultural lands; the water is then pumped from the Colusa Drain into the District's distribution system and then to its service area. As a result of irrigating with the co-mingled fresh and drain water from the Colusa Drain, crop productivity (mostly rice) on agricultural lands served by the District has declined due to warm water temperatures and poor water quality. The purpose of the proposed project is to permit the District to convey water directly to its service area without going through the Colusa Drain. The proposed project is located in Colusa County approximately 9.5 miles north of the town of Colusa and approximately two miles west of the Sacramento River and State Highway 45. The project site is bordered on the north, south, and east by private agricultural lands (rice farming) and on the west by the Delevan National Wildlife Refuge.

The new canal will convey water at 80 cubic feet per second and will end at the new siphon structure. The siphon

structure will convey the water from the new District canal, beneath the Colusa Drain, to the existing District canal opposite the Colusa Drain. The proposed project will enhance crop productivity by ensuring high quality water for approximately 6,275 acres of agriculture in the District's service area. The proposed project would also provide a more reliable water supply.

In May, 1997, the proposed project area was surveyed for potential habitat for rare, threatened, or endangered species and other biological features that could be affected by the project. Only one federally listed species, the threatened giant garter snake, has the potential to occur on the project site and to be directly impacted by the proposed project. The District has agreed to implement the following measures to minimize and mitigate impacts that may result from incidental take of the giant garter snake: (1) Conduct construction activities during time periods when take of the giant garter snake is less likely to occur; (2) ensure that a qualified biologist is present to monitor for snakes, and, if necessary, to remove from the project site any snakes encountered during construction; (3) ensure that dewatered channels remain dry for at least 15 consecutive days prior to any construction activity; (4) ensure that construction personnel receive worker awareness training; (5) install silt screens and fences to prevent erosion; (6) ensure that all excavated materials are prevented from washing into any watercourses; and (7) ensure that construction equipment disturbance will be minimized.

The Service has determined that the Plan qualifies as a "low-effect" Habitat Conservation Plan as defined by the Service's Habitat Conservation Planning Handbook (November 1996). Low-effect Habitat Conservation Plans are those involving: (1) Minor or negligible effects on federally listed and candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources. The Plan qualifies as a low-effect Habitat Conservation Plan for the following reasons:

1. Approval of the Plan would result in minor or negligible effects on the giant garter snake and its habitat. The Service does not anticipate significant direct or cumulative effects to the giant garter snake resulting from construction of the new conveyance canal.

2. Approval of the Plan would not have adverse effects on unique geographic, historic or cultural sites, or involve unique or unknown environmental risks.

3. Approval of the Plan would not result in any cumulative or growth inducing impacts and, therefore, would not result in significant adverse effects on public health or safety.

4. The project does not require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act, nor does it threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

5. Approval of the Plan would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service has therefore determined that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). No further National Environmental Policy Act documentation will therefore be prepared.

This notice is provided pursuant to section 10(c) of the Act. The Service will evaluate the permit application, the Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit will be issued for the incidental take of the giant garter snake during the District's canal relocation project. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: April 28, 1998.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 98-11821 Filed 5-4-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Public Involvement Opportunities for the Modification of the Habitat Conservation Plan on Lands Administered by Plum Creek Timber Company in the State of Washington

AGENCY: Fish and Wildlife Service, Interior; National Marine Fisheries Service, NOAA, Commerce.

ACTION: Notice of public meetings.

SUMMARY: This notice advises the public that the Fish and Wildlife Service and National Marine Fisheries Service

(hereinafter "the Services") will conduct meetings with the U.S. Forest Service regarding the potential land exchange in the Interstate-90 corridor of Washington. The U.S. Forest Service will address the potential land exchange, and the Services will provide information and receive comments or questions regarding a potential modification to the Plum Creek Timber Company's Habitat Conservation Plan. On June 27, 1996, Plum Creek Timber Company, L.P., was issued Permit PRT-808398 which authorizes the take of federally listed species, under the provisions of section 10(a)(1)(B) of the Endangered Species Act. If the proposed land exchange takes place, Plum Creek Timber Company would likely request to amend their Habitat Conservation Plan to reflect the change in land base.

DATES: Public meetings will be held from 7:00 to 9:00 p.m. on May 13, 14, 20, and 21, 1998.

ADDRESSES: Public meetings will be held at the following locations: May 13, Hal Holmes Community Center, 201 North Ruby, Ellensburg, Washington; May 14, Cavanaugh's at Yakima Center, 607 East Yakima Avenue, Yakima, Washington; May 20, Mount Si High School, 8651 Meadow Brook Way, S.E., Snoqualmie, Washington; May 21, Cowlitz Valley Ranger Station, 10024 U.S. Highway 12, Randle, Washington.

FOR FURTHER INFORMATION CONTACT: William Vogel, Wildlife Biologist, Western Washington Fish and Wildlife Office, 510 Desmond Drive, Suite 101, Lacey, Washington 98503, (360) 753-4367; or Matt Longenbaugh, Fishery Biologist, National Marine Fisheries Service, at the same address.

Interested parties may contact the Services at the address listed above to receive additional information, including a map for the public meeting location.

Dated: April 29, 1998.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 98-11824 Filed 5-4-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approved Tribal-State Compact.

SUMMARY: Pursuant to Section 11 of the Indian Gaming Regulatory Act of 1988,

Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Tribal-State Compact Between the State of California and the Pala Band of Mission Indians which was executed on March 6, 1998.

DATES: This action is effective May 5, 1998.

FOR FURTHER INFORMATION CONTACT:

Nancy J. Pierskalla, Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: April 25, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-11895 Filed 5-4-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-060-07-1210-00]

Meeting of the California Desert District Advisory Council

SUMMARY: Notice is hereby given, in accordance with Public Laws 92-463 and 94-579, that the California Desert District Advisory Council to the Bureau of Land Management, U.S. Department of the Interior, will participate in a field tour of BLM-administered public lands near Blythe, California on Thursday, June 11, 1998, from 7:30 a.m. to 3 p.m., and meet in formal session on Friday, June 12 from 8 a.m. to 5 p.m., and Saturday, June 13 from 8 a.m. to 11:30 a.m. The Friday and Saturday public meetings will be held in the Blythe City Council Chambers, located at 220 North Spring Street, Blythe, California.

The Council and members of the public will assemble for the field tour at The Hampton Inn parking lot at 7:15 a.m., and depart at 7:30 a.m. The Hampton Inn is located at 9000 West Hubson Way, Blythe, California. The tour will focus on the southeastern portion of the proposed Chuckwalla Desert Wildlife Management Area within the Northern and Eastern Colorado Desert (NECO) Coordinated Management Planning Area. Presentations will include discussions on routes of travel, checkerboard land ownership, recreation, and plant and wildlife biological values.

The public is welcome to participate in the field tour, but should dress