

EFFECTIVE DATE: February 6, 1998.

FOR FURTHER INFORMATION CONTACT: Robert Yearout, Program Manager, Concession Program, National Park Service, 1849 C Street, NW, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The franchise fee guidelines contained in NPS-48 were adopted by NPS on December 31, 1986, after receipt and consideration of public comments pursuant to **Federal Register** notification. The guidelines were amended on July 20, 1995, after consideration of public comment pursuant to **Federal Register** notification. In addition, the guidelines were clarified on August 11, 1997, after consideration of public comment pursuant to **Federal Register** notification. NPS is presently considering the possibility of significantly revising the guidelines. If it chooses to do so, the proposed revisions will be made available for public comment through **Federal Register** notification.

Two comments were received in response to the December 5, 1997, **Federal Register** notice. One commenter expressed concern that franchise fee adjustments made as part of a concession contract fee reconsideration are neither easily quantifiable nor subject to any "cap" as to how much a fee may be raised as a result of the reconsideration. The commenter considers that franchise fees should be quantifiable for the term of a contract. The commenter suggested that this would allow better calculation of prospective financial returns, increase the ability to obtain financing, and decrease the risk of bidding to obtain a concession contract. Specifically, the commenter suggested that the basis for fee adjustments should be a pre-determined formula established at the outset of the contract.

NPS considers that this comment has merit in some respects. However, it notes that under current concession contract provisions, franchise fees may be adjusted upwards or downwards as circumstances warrant during the term of the contract. The present system, accordingly, treats the concessioner and the Government alike with respect to franchise fee adjustments.

The commenter also suggested that in analyzing franchise fees, the complete financial history of the operation should be considered. NPS notes that its current guidelines permit analysis of as many years of financial history as is appropriate and that during a franchise fee consideration the concessioner is likewise able to provide analysis as it

sees fit with respect to the operation's financial returns and history.

Finally, the commenter noted that, although, in theory, the NPS consideration of industry ratios would seem equitable in analyzing franchise fees, published statistics in this regard are not readily comparable to NPS concession operations in light of their more extensive mix of facilities and services and other factors related to operations in areas of the national park system. In addition, the commenter suggested that the ratios provided in industry statistics have such a wide swing in results that any assignment of ranking would be purely subjective on the part of NPS in attempting to recommend a new franchise fee. NPS has received similar criticisms of using published industry statistics in franchise fee analysis on other occasions, including in prior responses to **Federal Register** requests for public comment on NPS franchise fee guidelines.

NPS agrees that consideration of published industry statistics in and of itself would not be an appropriate means to establish a franchise fee. However, the NPS guidelines only contemplate consideration of published statistics as one starting point for franchise fee analysis. The guidelines call for analysis of such statistics to account for differences between the general industry and the particular circumstances of the concession operation in question. In addition, industry statistics as part of a franchise fee reconsideration process are shared with the concessioner which may dispute their validity and provide alternative statistics. A decision on an adjusted franchise fee is made on the basis of all the information developed during the reconsideration process, including discussions with the concessioner. In addition, if NPS and the concessioner cannot agree on an adjustment to the franchise fee, up or down as the case may be, the concessioner is entitled to request advisory arbitration on the issue and a final decision from the Secretary of the Interior based upon the entire record of the matter and the views of the arbitration panel. In short, NPS appreciates that published statistics cannot be the exclusive means of analyzing franchise fees and that they have shortcomings which must be taken into account. Nonetheless, NPS considers it appropriate to use published statistics, with appropriate adjustment and consideration of their limitations, as a franchise fee analytical tool.

The other comment received was concerned that NPS should permit public comment on the specifics of its proposed changes to its franchise fee guidelines. This NPS intends to do through **Federal Register** notification if significant changes are proposed.

Having considered the comments received, and similar comments received in response to past **Federal Register** notification, NPS believes that its present franchise fee guidelines are adequate and hereby re-adopts them to the extent legally necessary. However, NPS does consider that there may be other and perhaps better ways to deal with concession contract franchise fees and may suggest significant revisions to the present guidelines in the near future. If this occurs, further public comment will be invited on the revisions and the comments received in response to the December 5, 1997, notice and prior notices will be taken into due account as well in reaching a final decision on any proposed revisions.

Dated: January 23, 1998.

Wendelin M. Mann,

Acting Concession Program Manager.

[FR Doc. 98-2977 Filed 2-5-98; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent To Prepare an Environmental Impact Statement and Conduct a Public Tour and Meetings Initiating a General Management Plan Amendment for the Green Spring Unit of Colonial National Historical Park

AGENCY: National Park Service, Interior.

ACTION: Notice of public tour and meetings and notice of Intent to prepare an Environmental Impact Statement.

SUMMARY: This notice announces upcoming public scoping meetings and a site tour initiating a General Management Plan Amendment for the Green Spring unit of Colonial National Historic Park and the intent to publish an Environmental Impact Statement in association with the General Management Plan Amendment.

Public Tour

Date and Time: Sunday, February 22, 1998 from 2 to 4 PM.

Address: Meet at Jamestown Visitor Center on Jamestown Island, 1368 Colonial Parkway, Jamestown, VA 23081.

Public Meetings

Dates and Times: Friday, February 27, 1998 from 2–4 PM and Saturday February 28, 1998 from 10–2 noon

Address: Same as above.

The purpose of the tour and meetings is to describe the general management planning effort beginning for Green Spring, a unit of Colonial National Historical Park, and to solicit public input about its future management. The agenda for the meetings consists of an overview of the project, a review of possible conceptual approaches to site management, and an open discussion of citizen concerns.

We encourage all who have an interest in Green Spring's future to attend or to contact the park superintendent by letter, telephone or e-mail. Minutes of the meetings will be available for public review four weeks after the meeting at the Visitor Center.

FOR FURTHER INFORMATION CONTACT: Superintendent, Colonial National Historical Park, Post Office Box 210, Yorktown, Virginia 23690, (757) 898–3400.

Dated: January 30, 1998.

Kathy Schlegel,

Project Manager, Philadelphia Support Office, Stewardship and Partnerships Team.

[FR Doc. 98–2978 Filed 2–5–98; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR**National Park Service**

Delaware Water Gap National Recreation Area Parkwide Trail Plan Open House and Intent To Publish an Environmental Impact Statement

AGENCY: National Park Service; Interior.

ACTION: Notice of open house and notice of intent to publish Environmental Impact Statement.

SUMMARY: This notice announces an upcoming open house for the Delaware Water Gap National Recreation Area Parkwide Trail Plan and the intent to publish an environmental impact statement in association with the trail plan.

Open House Date and Time: Friday, February 27, 1998 from 3–7:30 p.m.

Address: Bushkill School, Church Lane, Bushkill, PA 18324.

The purpose of the open house is to describe the park trail planning effort at Delaware Water Gap National Recreation Area and to gain public input relating to the future designation of a parkwide trail system. The agenda for the open house consists of an informal overview of the project.

Citizens are encouraged to arrive at any time between 3 and 7:30 pm to engage in an open discussion.

We encourage all who have an interest in the park's future trail system to attend or contact the park Superintendent by letter or telephone. Minutes of the meeting will be available for public review four weeks after the open house at Bushkill School.

FOR FURTHER INFORMATION CONTACT:

Helen Mahan Forester, Community Planner, National Park Service, U.S. Custom House, 200 Chestnut St., Philadelphia, PA 19106, 215/597–6483.

Dated: January 26, 1998.

Bob Kirby,

Acting Superintendent.

Congressional Listing for Delaware Water Gap NRA

Honorable Frank Lautenberg, U.S. Senate, SH–506 Hart Senate Office Building, Washington, D.C. 20510–3002

Honorable Robert G. Torricelli, U.S. Senate, Washington, D.C. 20510–3001

Honorable Richard Santorum, U.S. Senate, SR 120 Senate Russell Office Bldg., Washington, D.C. 20510

Honorable Arlen Specter, U.S. Senate, SH–530 Hart Senate Office Bldg., Washington, D.C. 20510–3802

Honorable Paul McHale, U.S. House of Representatives, 511 Cannon House Office Bldg., Washington, D.C. 20515–3815

Honorable Joseph McDade, U.S. House of Representatives, 2370 Rayburn House Office Bldg., Washington, D.C. 20515–3810

Honorable Margaret Roukema, U.S. House of Representatives, 2244 Rayburn House Office Bldg., Washington, D.C. 20515–3005

Honorable Tom Ridge, State Capitol, Harrisburg, PA 17120

Honorable Christine Whitman, State House, Trenton, NJ 08625

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DEPARTMENT OF THE INTERIOR**Bureau of Reclamation**

Proposed Central Valley Project Improvement Act (CVPIA) Interim Land Retirement Program, Central Valley Project (CVP), California

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of intent to prepare a programmatic environmental assessment and notice of scoping meetings.

SUMMARY: Pursuant to Section 102(2) of the National Environmental Policy Act (NEPA), and the Council of Environmental Quality Regulations (40 CFR 1506.6), the Bureau of Reclamation (Reclamation) announces the intent to

prepare a Programmatic Environmental Assessment (EA) for the proposed CVPIA Interim Land Retirement Program. The proposed action supports implementation of section 3408(h) of the CVPIA, Pub. L. 102–575, which authorized the Land Retirement Program, based on recommendations contained in the final report of the San Joaquin Valley Drainage Program (SJVDP, September 1990).

The purpose of the proposed action is to identify potential impacts to the environment from the permanent retirement of land and the disposition of any water allocation that may be acquired under this program. Disposition of water may include out-of-district transfers, primarily for environmental purposes, or the water may stay within a district to be used to establish vegetation for the purposes of wildlife habitat enhancement and drainage reduction, or the water may be reallocated among the district's water users as supplemental water. Regardless of where the water is to be used or for what purpose, the water may not be applied to lands where it will contribute to drainage problems, as set forth in the interim program guidelines (revised 11/97). The need of the proposed action is to reduce subsurface drainage and restore wildlife habitat values in the San Joaquin Valley. The action complements the U.S. Fish and Wildlife Service Draft Recovery Plan for Upland Species of the San Joaquin Valley, California, 1997.

The chief area of concern is the western side of the San Joaquin Valley from the Sacramento-San Joaquin Delta on the north to the Tehachapi Mountains south of Bakersfield, California. The Proposed Action will focus on the federal CVP service area within this region.

DATES: Public scoping meetings to receive oral and written comments will be held on the following dates:

- Tuesday, February 24, 1998, from 7:00 to 9:00 p.m., Delano, California.
- Wednesday, February 25, 1998, from 2:00 to 4:00 p.m. and 7:00 to 9:00 p.m. Fresno, California.
- Thursday, February 26, 1998, from 7:00 to 9:00 p.m., Santa Nella, California.

Written comments on the project scope should be sent to Reclamation by March 18, 1998. Comments received after this date will be considered, but will not be included in the resulting scoping report.

ADDRESSES: Public scoping meetings will be held at the following locations:

- The Fruit Tree, 2343 Gerard Street, Delano, California 93215, telephone (805) 725–9532.