

[FR Doc. 98-33090 Filed 12-11-98; 8:45 am]

BILLING CODE 4140-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4351-N-11]

Notice of Proposed Information Collection for Public Comment

AGENCY: Office of the Assistant Secretary for Policy Development and Research, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: Comments are due February 12, 1999.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Reports Liaison Officer, Office of Policy Development and Research, Department of Housing and Urban Development, 451 7th Street, SW, Room 8226, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Robert A. Knight, Social Science Analyst, 451 7th Street, SW, Washington, DC 20410, telephone (202)-708-1060, Ext. 5893. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Knight.

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of

appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Survey of Market Absorption of New Apartment Buildings.

Description of the need for the information and proposed use: The Survey of Market Absorption provides the data necessary to measure the rate at which new rental apartments and new condominium apartments are absorbed, that is, taken off the market, usually by being rented or sold, over the course of the first twelve months following completion of a building. The data are collected at quarterly intervals until the twelve months expire or until the units in a building are completely absorbed. The survey also provides estimates of certain characteristics, i.e., asking rent/price, number of bedrooms, of apartments being absorbed, which provides a basis for analyzing the degree to which new apartment construction is meeting the present and future needs of the public.

Members of affected public: Business firms (builders and rental agents).

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:

Number of respondents: 12,000 (maximum).

Frequency of response: four times (maximum).

Time per respondent: .3 hours.

Total hours: 3,600.

Status of the proposed information collection: Pending OMB approval.

Authority: Title 12, United States Code, Section 1701Z, as amended.

Dated: December 2, 1998.

Lawrence L. Thompson,

General Deputy Assistant Secretary for Policy Development and Research.

[FR Doc. 98-33107 Filed 12-11-98; 8:45 am]

BILLING CODE 4210-62-M

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 Zanker Material Processing Facility, Santa Clara County, California**

AGENCY: Fish and Wildlife Service, Interior

ACTION: Notice of availability and receipt of application.

SUMMARY: Zanker Road Resource Management, Ltd. has applied to the Fish and Wildlife Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Service proposes to issue a 3-year permit to Zanker Road Resource Management, Ltd. that would authorize take of the endangered salt marsh harvest mouse (*Reithrodontomys raviventris*) incidental to otherwise lawful activities. Such take would occur during reconstruction of an existing unengineered levee system surrounding a landfill site in Santa Clara County, California. Reconstruction of the levees will result in the temporary loss of approximately 0.83 acres of grassland habitat used by the salt marsh harvest mouse.

We request comments from the public on the permit application, which is available for review. The application includes a Habitat Conservation Plan (Plan). The Plan describes the proposed project and the measures that Zanker Road Resource Management, Ltd. would undertake to minimize and mitigate project impacts to the salt marsh harvest mouse.

We also request comments on our preliminary determination that the Plan qualifies as a "low-effect" Habitat Conservation Plan, eligible for a categorical exclusion under the National Environmental Policy Act. The basis for this determination is discussed in an Environmental Action Statement, which is also available for public review.

DATES: Written comments should be received on or before January 13, 1999.

ADDRESSES: Send written comments to Mr. Wayne White, Field Supervisor, Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Comments may be sent by facsimile to 916-979-2744.

FOR FURTHER INFORMATION CONTACT: Ms. Lori Rinek or Mr. William Lehman, Fish and Wildlife Biologists, at the above address or call (916) 979-2129.

SUPPLEMENTARY INFORMATION:**Document Availability**

Please contact the above office if you would like copies of the application, Plan, and Environmental Action Statement. Documents also will be available for review by appointment, during normal business hours at the above address.

Background

Section 9 of the Endangered Species Act and Federal regulation prohibit the "take" of fish or wildlife species listed as endangered or threatened,

respectively. Take of listed fish or wildlife is defined under the Act to include kill, harm, or harass. The Service may, under limited circumstances, issue permits to authorize incidental take; i.e., take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22, respectively.

Zanker Road Resource Management, Ltd. operates the 46-acre Zanker Material Processing Facility as a landfill for non-hazardous solid waste. The Regional Water Quality Control Board is requiring the replacement of the existing unengineered levees surrounding the site to provide protection during a 100-year flood event and tidal inundation. The site has been used since the 1950's for disposal of manufacturing waste from Owens Corning's local manufacturing operations. Approximately 28 acres in the northern portion of the parcel have been filled with solid waste, such as fiberglass, wood, construction debris, and paper. Unengineered levees (uncompacted levees installed without engineering design or oversight) and a low berm exist on the north, west, and southwest perimeters of the existing fill area. The eastern side of the site is bordered by a 10-foot high engineered (i.e., compacted) levee owned by the San Jose/Santa Clara Water Pollution Control Plant. The project site is located at the southern end of San Francisco Bay on Los Esteros Road in the Alviso district of San Jose. The land uses adjacent to the site include the San Francisco Bay National Wildlife Refuge to the north; the old Nine Par disposal site to the east; the San Jose/Santa Clara Water Pollution Control Plant, agricultural open space and offices to the south; and privately held marshland and residential portions of Alviso to the west.

In 1990, biologists surveyed the proposed project area for special-status wildlife and plant species that could be affected by the project. Based upon the surveys, the Service concluded that one federally listed species, the endangered salt marsh harvest mouse, has the potential to be impacted by the proposed project.

Zanker Road Resource Management, Ltd. has agreed to implement the following measures to minimize and mitigate impacts that may result from incidental take of the salt marsh harvest mouse: (1) implement a wetland mitigation plan (including the installation of a silt fence) using Best Management Practices to prevent

sedimentation from entering adjacent wetlands; (2) ensure that a qualified biologist is present to monitor and oversee technical issues relative to compliance with the minimization, mitigation, and conservation measures for the project; (3) ensure that the reconstructed levees are topped with a 12-inch layer of clean earthfill, revegetated with a native grass seed mix, and that the levee slopes are planted with coyote bush; (4) ensure that a revegetation remediation plan intended to restore salt marsh harvest mouse habitat along the impacted levees is implemented following levee reconstruction, and succeeds within the 3-year life of the permit; and (5) ensure construction personnel receive worker awareness training.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the Plan, which includes measures to minimize and mitigate impacts of the project on the salt marsh harvest mouse. An alternative to the taking of listed species under the Proposed Action is considered in the Plan. Under the No Action Alternative, no permit would be issued. However, taking no action to reconstruct the levees is not an acceptable alternative since the Regional Water Quality Control Board is requiring the reconstruction of the existing unengineered levees. Although two other options associated with operation of the landfill and levee reconstruction are discussed in the Plan, they were not considered as alternatives because each of these would result in the same level of levee reconstruction and take as the Proposed Action.

The Service has made a preliminary determination that the Zanker Road Resource Management, Ltd. Habitat Conservation Plan qualifies as a "low-effect" plan as defined by its Habitat Conservation Planning Handbook (November 1996). Determination of low-effect HCPs is based on the following three criteria: (1) implementation of the Plan would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) implementation of the Plan would result in minor or negligible effects on other environmental values or resources; and (3) impacts of the Plan, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects would not result, over time, in cumulative effects to environmental values or resources which would be considered significant. As more fully explained in the Service's Environmental Action Statement, the Zanker Road Resource Management,

Ltd. Plan qualifies as a "low-effect" plan for the following reasons:

1. Approval of the Plan would result in minor or negligible effects on the salt marsh harvest mouse and its habitat. The Service does not anticipate significant direct or cumulative effects to the salt marsh harvest mouse resulting from reconstruction of the existing unengineered levee system surrounding the project site.

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 therefore has preliminarily 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). Based upon this preliminary determination, we do not intend to prepare further National Environmental Policy Act documentation. The Service will consider public comments in making its final determination on whether to prepare such additional documentation.

The Service provides this notice pursuant to section 10(c) of the Endangered Species Act. We 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 the requirements are met, the Service will issue a permit to Zanker Road Resource Management, Ltd. for the incidental take of the salt marsh harvest mouse during the reconstruction of the existing unengineered levee system surrounding the project site. We will make the final permit decision no sooner than 30 days from the date of this notice.

Dated: December 4, 1998.

Elizabeth H. Stevens,

*Manager, California/Nevada Operations
Office, Sacramento, California.*

[FR Doc. 98-33033 Filed 12-11-98; 8:45 am]

BILLING CODE 4310-55-P

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 for Class III Gaming Between the Kalispel Tribe of Indians and the State of Washington, which was executed on October 22, 1998.

DATES: This action is effective December 14, 1998.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4066

Dated: December 4, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-33045 Filed 12-11-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-020-1220-00]

Notice of Meeting

AGENCY: Bureau of Land Management (BLM), Montana, Miles City District, Interior.

ACTION: Notice of Meeting.

SUMMARY: The Miles City District Resource Advisory Council will have a meeting Wednesday, January 13, 1999 in Billings, Montana on the campus of Montana State University—Billings, Education Building, Room 102. Agenda topics include travel management, implementation of Rangeland Health Standards and Guidelines, county road transfer, and threatened and endangered

species management. The meeting starts at 9:00 a.m. and expected to adjourn about 3:30 p.m.

The meeting is open to the public and the public comment period is set for 12:30 p.m. on January 13. The public may make oral statements before the Council or file written statements for the Council to consider. Depending on the number of persons wishing to make an oral statement, a per person time limit may be established. Summary minutes of the meeting will be available for public inspection and copying during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Marilyn Krause, Public Affairs Specialist, Miles City District, 111 Garryowen Road, Miles City, Montana 59301, telephone (406) 233-2831.

SUPPLEMENTARY INFORMATION: The purpose of the Council is to advise the Secretary of the Interior, through the BLM, on a variety of planning and management issues associated with public land management. The 15 member Council includes individuals who have expertise, education, training or practical experience in the planning and management of public lands and their resources and who have a knowledge of the geographical jurisdiction of the Council.

Dated: December 2, 1998.

Timothy M. Murphy,

Miles City Field Manager.

[FR Doc. 98-33013 Filed 12-11-98; 8:45 am]

BILLING CODE 4310-DN-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-010-07-1020-00-241A]

Northwest Colorado Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior

ACTION: Notice of Meeting

SUMMARY: The next meeting of the Northwest Colorado Resource Advisory Council will be held on Thursday, January 14, 1999, at the Garfield County Courthouse in Glenwood Springs, Colorado.

DATES: Thursday, January 14, 1999

ADDRESSES: For further information, contact David Atkins, Bureau of Land Management (BLM), Grand Junction District Office, 2815 H Road, Grand Junction, Colorado 81506; Telephone (970) 244-3074.

SUPPLEMENTARY INFORMATION: The Northwest Resource Advisory Council

will meet on January 14, 1999, at the Garfield County Courthouse, County Commissioners Meeting Room, 109 8th Street, Glenwood Springs, Colorado. The meeting will start at 9 a.m. and include discussions of the roadless inventory review decisions and the proposed statewide recreation guidelines. In the afternoon, starting at 1 p.m., there will be a public forum to discuss the recreation guidelines.

The meeting is open to the public. Interested persons may make oral statements at the meetings or submit written statements following the meeting. Per-person time limits for oral statements may be set to allow all interested persons an opportunity to speak.

Summary minutes of council meetings are maintained in both the Grand Junction and Craig District Offices. They are available for public inspection and reproduction during regular business hours within thirty (30) days following the meeting.

Dated: December 9, 1998.

David Atkins,

Acting District Manager, Craig and Grand Junction Districts.

[FR Doc. 98-33101 Filed 12-11-98; 8:45 am]

BILLING CODE 4310-70-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-030-09-1010-00-1784]

Southwest Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice; Resource Advisory Council Meeting.

SUMMARY: Notice is hereby given that the Southwest Resource Advisory Council (Southwest RAC) will meet in Montrose, Colorado.

DATES: The meeting will be held on Thursday, January 14, 1999.

ADDRESSES: For additional information, contact Roger Alexander, Bureau of Land Management (BLM), Southwest Center, 2465 South Townsend Avenue, Montrose, Colorado 81401; telephone 970-240-5335; TDD 970-240-5366; e-mail r2alexan@co.blm.gov.

SUPPLEMENTARY INFORMATION: The January 14, 1999, meeting will begin at 9:00 a.m. in BLM's Southwest Center conference room at 2465 South Townsend, Montrose, Colorado. The agenda will include public comment at 9:30 a.m., followed by discussions on coal leasing in the North Fork Valley