

the Act and National Environmental Policy Act regulations (40 CFR 1506.6). **DATES:** Written comments on the habitat conservation plan, permit application, and environmental assessment must be received within 30 days of the date of this publication.

ADDRESSES: Requests for any of the above documents and comments or materials concerning them should be sent to the Assistant Field Supervisor, Fish and Wildlife Service, 145 East 1300 South, Suite 404, Salt Lake City, Utah 84115. The documents and comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Robert D. Williams, Assistant Field Supervisor (See **ADDRESSES** above) (telephone (801) 524-5001, facsimile (801) 524-5021).

SUPPLEMENTARY INFORMATION: Section 9 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*), prohibits the "taking" of any threatened or endangered species, including the desert tortoise. However, the Fish and Wildlife Service (Service), under limited circumstances, may issue permits to take threatened and endangered wildlife species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are at 50 CFR 17.22.

The Heritage Arts Foundation, a nonprofit foundation, is currently constructing the Tuacahn School and Performing Arts Center (Tuacahn Center) on an 80-acre parcel in Padre Canyon in the city of Ivins, Washington County, Utah. There is a 2.1 kilometer (1.3 mile) graded access road to the Tuacahn Center that was constructed 2 years ago. The access road and the Tuacahn Center site are known to be inhabited by the desert tortoise, a threatened species.

Development of the Tuacahn Center site and access road has occurred over the last several years without formal section 7 consultation or a section 10(a)(1)(B) incidental take permit under the Act. In a December 24, 1991, letter to the Applicant regarding a desert tortoise "presence or absence" survey of the site for the Tuacahn Center, the Service noted that the survey did not find concrete evidence that desert tortoises inhabited the site proposed for development. No live desert tortoises, cover sites (such as dens and burrows), or tracks were found. The Service further stated in the letter that due to the proximity of the desert tortoise in

the project area there would always be the chance that one or more individuals could move onto the property that was to be developed or construction activities may impact active tortoise habitat. Additionally, the Service stated that if a tortoise was found on the property at any time, all construction and any other activity that may harm the animal should stop and the Service's Salt Lake City Office be notified immediately. At that time the Service would determine the best course of action. A surveyor was contracted by the Applicant to complete a desert tortoise "presence or absence" survey along the then-proposed access road, but the road was constructed before the survey was started and the surveyor decided not to conduct the survey. Therefore, a desert tortoise "presence or absence" survey was conducted only on the Tuacahn Center site and not on the access road.

Two desert tortoises were found dead in 1994 on the access road, crushed by construction vehicles. As agreed to in a Stipulated Settlement (Agreement) between the Applicant and the U.S. Department of Justice dated August 17, 1994, the Applicant prepared a habitat conservation plan and applied for an individual section 10(a)(1)(B) incidental take permit from the Service. The habitat conservation plan addresses the further improvement and continued use of the Tuacahn Center access road. The Applicant prepared an environmental assessment as part of the permit application.

The Applicant considered two other alternatives—a no action alternative and an alternate access road location alternative. The Applicant rejected the no action alternative because a habitat conservation plan would not be pursued and no section 10(a)(1)(B) incidental take permit would be issued. This would violate the Agreement signed by the Applicant and the Justice Department. In addition, the road has already been constructed and the Tuacahn Center is 90 percent completed. Vehicle use of the road continues and is expected to increase once the Tuacahn Center opens. Without a section 10(a)(1)(B) permit, a risk of further unauthorized take of desert tortoises is possible. The second alternative that was considered and rejected was to move the access road to further minimize potentially adverse impacts to the desert tortoise. The current location of the access road crosses an area of continuous desert tortoise habitat, yet it is economically feasible to construct underneath crossings in a small area. A possible alternate location would be to move the

access road's intersection with Snow Canyon Road to the north at the base of the talus slope up the mouth of Padre Canyon. Taking the access road along the base of the cliffs would impact a much larger area crossed by tortoises and impact other candidate species such as the chuckwalla (*Sauromalus obesus*) and gila monster (*Heloderma suspectum*).

Since 1991, the Washington County Commission has been developing a regional habitat conservation plan and section 10(a)(1)(B) permit application for take of desert tortoise in Washington County for the Upper Virgin River Recovery Unit. When finalized, this proposed regional habitat conservation plan will incorporate the Tuacahn Center project area and access road. The proposed Washington County regional habitat conservation plan is expected to be released by June 1995.

Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: February 3, 1995.

Ralph O. Morgenweck,

Regional Director, Denver, Colorado.

[FR Doc. 95-3244 Filed 2-8-95; 8:45 am]

BILLING CODE 4310-55-M

Minerals Management Service

Availability of Outer Continental Shelf Official Protraction Diagrams

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of availability of revised Outer Continental Shelf Official Protraction Diagrams (OPD's).

SUMMARY: Notice is hereby given that effective with this publication, the following revised outer continental shelf (OCS) Official Protraction Diagrams (OPD's) for the Cook Inlet/Shelikof Strait area are on file and available in the Alaska OCS Region office, Anchorage, Alaska. They reflect revisions to previously published OPD's to correct a computational problem occurring along the UTM Zone Boundary. These OPD's should be used for the Offshore Program within the Cook Inlet/Shelikof Strait area.

Description	Date
NO 04-06, Ugashik	January 4, 1995.
NO 05-02, Seldovia	January 4, 1995.

Description	Date
NO 05-04, Afognak	January 4, 1995.
NO 05-05, Karluk	January 4, 1995.

ADDRESSES: Copies of these OPD's may be purchased for \$2.00 each from the Minerals Management Service, Alaska OCS Region, 949 East 36th Avenue, Room 603, Anchorage, Alaska 99508-4302, Attention: Library, (907) 271-6435.

FOR FURTHER INFORMATION CONTACT: Technical comments or questions pertaining to these maps should be directed to Leasing and Environment, Chief, Leasing Activities Section, at the address stated above, or at (907) 271-6691.

Dated: January 30, 1995.

Judith C. Gottlieb,

Regional Director, Alaska OCS Region.

[FR Doc. 95-3167 Filed 2-8-95; 8:45 am]

BILLING CODE 4310-MR-M

National Biological Service

State Partnership Program

AGENCY: National Biological Service, Interior.

ACTION: Notice.

SUMMARY: The National Biological Service (NBS) is announcing the availability of funds to States for research, inventory and monitoring, and the dissemination of information relating to biological resources. This program is intended to encourage and reinforce cooperative working relationships between NBS and the States, and among States and their agencies. It is anticipated that the resulting cooperation and collaboration will produce and make available more and better biological information at less cost by leveraging public funds for greater efficiency.

DATES: Materials concerning this program, proposals, and applications for Federal assistance must be received by March 22, 1995. Decisions on the proposals will be made in April 1995.

ADDRESSES: Proposals should be sent to the National Biological Service State Partnership Program; Mail Stop 3070-MIB, 1849 C Street NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Ms. Mary Anne Young, Mail Stop 3070-MIB, 1849 C Street NW., Washington, DC 20240, telephone 202-482-3188, or on internet as YoungM@Mail.fws.gov.

SUPPLEMENTARY INFORMATION:

A. Purpose

The NBS is developing a multi-dimensional State Partnership Program intended to build upon relationships between States and the Department of the Interior (DOI) bureau elements that have been transferred to NBS with the goals of (1) fostering collaborative efforts within and between States to increase the availability of sound ecological and biological science to decisionmakers; (2) producing information and products regarding biological and ecological resources useful for decisionmaking to all levels of government and the private sector; (3) promoting more efficient use of both NBS and State funding by fostering collaboration, and (4) promoting overall closer relationships with the States. This program is conducted in furtherance of the Secretary's obligations under the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-j) and the Fish and Wildlife Coordination Act (16 U.S.C. 661-667e). NBS solicits applications for project funding.

B. Background

The NBS was created in November 1993, as an independent science bureau in DOI. The Secretary of the Interior issued Order No. 3185 on January 5, 1995, changing the name of "the National Biological Survey" to "the National Biological Service" to more accurately reflect the mission of the agency. Sec. 6.b. of Order No. 3185 reads: "States have significant resource management responsibilities, including species other than those entrusted to the Federal Government. Also, they hold much of the information necessary to understand important resource issues. The NBS will work with States to understand the biological resource issues and share data, working with them to establish common protocols and standards for data collection, analysis, and dissemination."

The National Academy of Sciences (NAS) 1993 report on the NBS, A Biological Survey for the Nation, stated that effective conservation and protection of the Nation's resources depended on strong partnerships between Federal and State agencies. The NBS concurs strongly and seeks to expand its interactions with States. A key to NBS success is the development of close collaboration between NBS and States, and among various State agencies.

States have diverse capabilities for collecting data useful to a variety of decisionmakers. Each State has legal mandates for conserving and managing

its fish and wildlife resources for values including cultural, aesthetic, educational, scientific, economical, and recreational. The NBS inherited constructive working relationships with States through the Cooperative Fish and Wildlife Research Unit programs and a wide variety of programs and projects at the Fish and Wildlife Research Centers now generally referred to as Science Centers—and other field units. NBS therefore is keenly aware of the array of biological information and expertise available from State agencies, and how many of their missions and goals correlate well with NBS programs.

C. Availability of Funds

The NBS is inviting State agencies and institutions whose primary focus is on natural resources to submit applications for funding for Fiscal Year 1995. The total funding available for Fiscal Year 1995 is \$600,000. These monies will be provided to successful applicants on a competitive basis. In order to maximize the number of States able to participate, there is no minimum project cost. The maximum project cost will be \$150,000. Proposals showing matching funds and in-kind contributions are encouraged as are proposals that are submitted as collaborative projects among State entities or involving two or more States.

D. Eligibility Requirements

Any agency or instrumentality of the several States, The District of Columbia, and all Territories, Possessions and Commonwealths of the United States, that conducts natural resource identification, monitoring, or research, may apply.

E. Application Process

Any parties interested in obtaining more information from the NBS State Partnership program and/or information on how to apply for available funds should write to: The National Biological Service, State Partnership Information Request, Mail Stop 3070-MIB, 1849 C Street NW., Washington, D.C. 20240, Attn: Mr. Robin O'Malley; or Internet: O'MalleyR@Mail.fws.gov

All requestors will receive an information package with detailed application instructions including the proposal format, the criteria for funding, the methods by which proposals will be selected, a description of NBS programs and priorities for FY 1995, a list of NBS contacts for the specific areas, and an Application for Federal Assistance (Standard Form 424).