

successfully improved and enhanced substance abuse treatment services for individuals receiving care through the publicly funded treatment system in Philadelphia.

FOR FURTHER INFORMATION CONTACT: Randolph Muck, Acting Chief, Systems Improvement Branch CSAT/SAMHSA, Rockwall II, Room 618, 5600 Fishers Lane, Rockville, MD. 20857. Telephone: (301) 443-8802.

Dated: February 16, 1995.

Richard Kopanda,

Acting Executive Officer, SAMHSA.

[FR Doc. 95-4322 Filed 2-21-95; 8:45 am]

BILLING CODE 4162-20-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Finding of No Significant Impact for an Incidental Take Permit for the Proposed Canyon Ridge, Phase A, Section 3 Development, Austin, Travis County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service (Service) has prepared an Environmental Assessment/Habitat Conservation Plan for issuance of a section 10(a)(1)(B) permit amendment for the incidental take of the Federally endangered golden-cheeked warbler (*Dendroica chrysoparia*) during the construction and operation of a residential development in northwest Travis County, Texas.

Proposed Action

The proposed action is the issuance of a permit amendment under Section 10(a)(1)(B) of the Endangered Species Act to authorize the incidental take of the golden-cheeked warbler during construction and operation of the Canyon Ridge development on the 24-acre site.

The Applicant plans to construct single-family and multi-family residences in northwest Travis County, Texas. The proposed development will comply with all local, State, and Federal environmental regulations addressing environmental impacts associated with this type of development. Details of the mitigation are provided in the Canyon Ridge, Phase A, Section 3 Environmental Assessment/Habitat Conservation Plan. Guarantees for implementation are provided in the Implementing Agreement. These conservation plan actions ensure that the criteria established for issuance of

an incidental take permit amendment will be fully satisfied.

Alternatives Considered

1. No action,
2. Proposed action,
3. Alternate site location,
4. Alternate site design,
5. Wait for issuance of a regional Section 10(a)(1)(B) permit.

Based upon information contained in the Environmental Assessment/Habitat Conservation Plan, the Service has determined that this action is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Impact Statement on the proposed action is not warranted.

It is my decision to issue the section 10(a)(1)(B) permit amendment for the construction and operation of the Canyon Ridge, Phase A, Section 3 development in northwest Travis County, Texas.

John G. Rogers,

Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-4299 Filed 2-21-95; 8:45 am]

BILLING CODE 4310-55-M

National Park Service

Notice of Publication of Final Sample Prospectus and Related Guidelines

AGENCY: National Park Service, Interior.

SUMMARY: The National Park Service published notice to rescind Chapter 6, 7, 8 and 11 of NPS-48 ("The Concessions Guidelines") Thursday, March 17, 1994 requesting comments at that time on the replacement document "Sample Prospectus and Related Guidelines." The document includes among other matters, a sample prospectus for solicitation of offers for National Park Service concessions contracts and permits, related evaluation guidelines and application information and criteria.

As an internal staff manual, notice of the Sample Prospectus and Related Guidelines is not required to be published in the **Federal Register** nor was public comment required yet to assure that the view of all interested parties were considered, the National Park Service sought public comment on its Sample Prospectus and Related Guidelines document and considered all comments received and amend the document if it is so warranted. The 60-day comment period has expired, and the public interest would not be served

in further delay of the effective date of this document.

General Comments

Only two entities responded to the publication of the notice with comments.

One commenter suggested that we withdraw this proposal until the Senate and House Finalize new legislation on Concession Management in the Parks. The public would not be served to consider this alternative as there exists a large backlog of NPS concession contract renewals which are necessary to complete to allow the commencement of major renovation and construction programs in areas of the nation park system, including improvements necessary to protect the health and safety of park visitors and NPS and concessioner employees. In addition, many concessioners are now operating under the terms of expired contracts and are accordingly, in need of contract renewal actions as soon as possible to permit business planning, actions and investments which require the existence of a new contract for implementation. It is also noted that the Sample Prospectus and Related Guidelines document is intended to provide guidance to NPS personnel concerning possible means to implement new policies and procedures adopted in the new NPS concession contracting regulations and new standard language concession contract, both of which were adopted after extensive public comment periods and consideration by NPS of all comments received.

This commenter discussed some issues that relate to NPS concession contracting regulations which were amended by NPS in furtherance of the objective of the Secretary's concession reform initiative. These issues, Possessory Interest, Compensation, Government Improvement and Capital Improvement accounts * * * are not further discussed here as they were the subject of extensive public comment in the adoption of the amended regulations and standard contract language. The amended regulations were published in final in the **Federal Register** on September 3, 1992 (57 FR 40496) and the Final revision of the Standard Contract Language was published in the **Federal Register** on January 7, 1993 (58 FR 43140).

This commenter cautioned that in the preparation of the Prospectus there are two items listed for the Appendix which related to existing possessory interest and suggest that care be taken to be sure that the incumbent be aware of the value established by the present law. They propose that values supplied by

the incumbent concessioner would reflect a more accurate assessment of the compensation required, rather than the use of an outside consultant or NPS estimate of this value. NPS acknowledges that the incumbent is entitled to compensation as outlined in a previous contract but that the terms of that contract allow for negotiation between parties, and should they be unable to reach a compromise, an arbitration process for the final determination of that compensable value as purchased by a new offeror.

The commenter expresses concern on the arbitration process utilized to resolve these disputes and states that an incumbent concessioner should not be expected to relinquish his or her rights to legal adjudication of the issue through the courts should it become necessary. NPS does not recognize this as a valid issue in this process as the procedure to settle these issues will not vary from established practice with the enforcement of the final regulations or standard contract language utilized herein.

The commenter acknowledged that the Concessions Management section of the prospectus had some excellent statements but that the "partnership" between NPS and the concessioner needs to be emphasized. They later note that this is emphasized in the contract language. NPS in designing the package took careful steps to avoid repetition in placing information in the prospectus and the contract as they are part of a complete presentation. The proposed contract is included in the package to illustrate the importance of all contract requirements.

Recent changes in the Utilities program as it relates to capital investments were commended.

Concern was expressed regarding the requirement that all concessioners comply with federal, state and local laws. NPS has made this a requirement of all contracts since the labor legislation was enacted. They described the problems recently encountered with the Department of Labor in a case in Nevada involving operations that fall under the Fair Labor Standards Act and the Contract Wage and Hours Standards Act. The Department of Labor has been asked to address this problem but as of yet, they have not issued a decision. This is a non-issue as it relates to this process.

Financial programs and practices were discussed as they relate to the law governing the concessions management program. They state that the NPS statement regarding Fair Return for the Operator appears misunderstood and misapplied. On Page 13 of the

prospectus, it states that "it is the responsibility of the offeror to assure itself that the terms of its offer provide it a reasonable opportunity for profit". The commenter states that while they understand that the concessioner ultimately determines by his business practices whether he will realize a profit, the whole intent of the statement in the law is that NPS should realize that its policies could prevent that profit from being realized if they were onerous and confiscatory. NPS makes this statement in the Prospectus to caution the offeror that the terms of an offer being presented must be realistic and achievable allowing a reasonable opportunity for profit. Other devices in the contract such as amendments, franchise fee reviews and arbitrations allow for adjustments necessitated through economic changes, policy review and revision.

A comment was made on the section entitled "The Park Area and Its Mission" regarding the planning documents and maintenance and operating plans for the park that are applicable. They note that plans are only as good as the commitment of those involved to carry out its terms and that no plans can be successful relating to the concession and operations and visitor services unless they involve the concessioner for meaningful input at the time of formulation. It is the standard practice of NPS to involve consultants versed in the type of operation proposed during the planning process. As the practice of awarding the contract for the operation of these facilities is a competitive process, completed at a future date, the actual concessioner cannot be involved in this pre-planning as the contract has not been executed. It is important that the planning, maintenance and operation documents be included in the prospectus so that an offeror can make an informed offer, taking the long and short term requirements into consideration.

The commenter discussed the need for flexibility in the term of the contract; Government Improvement and Capital Improvement accounts; Compensation and Possessory interest. These were issues for comment during the review of the Standard Contract Language and Final Rule for Concession Operations. These comments do not apply to this process.

The proposed application was questioned as it related to the alternatives presented for concessioner entitlement to present contract language on the Preference of renewal. NPS included the alternatives as a guide for future use of this sample. The issue of contract language change was addressed

during the review period of that subject and does not apply to this process.

The commenter states that the proposed Application seems inconsistent with the statement that the financial contributions are secondary selection factors, when in fact, additional weight in the scoring process is clearly outlined here for more generous contributions to both the Government and Capital Improvement Accounts and the amount paid in Franchise Fees. They question that if the factors are secondary, why should they be given additional weight? NPS in considering an offer, requires that all the primary factors are met before the secondary factors are considered. In this way, should all offerors satisfy the requirements of the primary factors, there can be a means of determining a better offer by utilizing the secondary factors.

A second commenter expressed concern in regards to removing the possibility of incorporating a numerically-weighted system into the proposed evaluation process. NPS feels that a numerically-weighted system would not allow the flexibility required to deal with the diverse operations it manages. Due to the diversity of the operations, specifically stated criteria are designed for each application that address the unique needs of the park and visitor. A numerically-weighted system must be standardized to be effective, and the diversity of the operations for which concessioners are solicited could not be handled in this manner. The narrative system presents in clear and concise language the exact reasons that the panel would choose one offeror over another. There is no guarantee with a numerically-weighted system to insure that the offer being presented is the best overall offer. Should there become a need to present the reasons for selection at a later time, the justification for a decision based on a numerically-weighted system is not easily presented.

The Sample Prospectus and Related Guidelines document is intended to be only a sample document. It is not meant to be a document which must be used as written in every instance. It is to be modified as appropriate to fit the needs of individual situations. Further, this document is expected to be modified and refined over time as experience indicates that changes are needed and to meet the changing needs of the concession contracting program.

EFFECTIVE DATE: February 22, 1995.

FOR FURTHER INFORMATION CONTACT: Robert Yearout, Chief, Concessions Division, National Park Service,

Washington, D.C. 20013-7127.
Telephone: (202) 343-3784.

Dated: February 3, 1995.

Maureen Finnerty,

Associate Director, Operations.

[FR Doc. 95-3676 Filed 2-21-95; 8:45 am]

BILLING CODE 4310-70-M

Jacob Riis Park, Gateway National Recreation Area, NY; Concession Contract Negotiations

AGENCY: National Park Service, Interior.
ACTION: Public notice.

SUMMARY: Public notice is hereby given that the National Park Service proposes to award a concession contract authorizing continued operation of visitor parking facilities and services for the public at Jacob Riis Park, Gateway National Recreation Area, New York for a period of five (5) years from January 1, 1995, through December 31, 1999.

EFFECTIVE DATE: April 24, 1995.

ADDRESSES: Interested parties should contact the Regional Director, National Park Service, North Atlantic Region, Attention: Division of Concessions Program Management, 15 State Street, Boston, MA 02109-3572, telephone (617) 223-5209, to obtain a copy of the prospectus describing the requirements of the proposed contract.

SUPPLEMENTARY INFORMATION: This contract renewal has been determined to be categorically excluded from the procedural provisions of the National Environmental Policy Act and no environmental document will be prepared.

The existing concessioner has performed its obligations to the satisfaction of the Secretary under an existing permit which expired by limitation of time on September 30, 1990. However, notwithstanding the provisions of Section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. § 20), the concessioner has relinquished and waived its right of preference in the renewal or extension of this permit. The contract will be awarded to the party submitting the best responsive offer.

The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be received by the Regional Director not later than the sixtieth (60th) day following publication of this notice to be considered and evaluated.

Chrysantra L. Walter,

Deputy Regional Director.

[FR Doc. 95-4318 Filed 2-21-95; 8:45 am]

BILLING CODE 4310-70-M

Indian Memorial Advisory Committee

AGENCY: National Park Service, Interior.

ACTION: Notice of Meeting of Subcommittee on Design Competition Package.

SUMMARY: This notice announces an upcoming meeting of the Indian Memorial Advisory Sub-Committee producing the Design Competition Package. Notice of this meeting is required under the Federal Advisory Committee Act (Public Law 92-463).

Meeting Date and Time: Thursday, March 2, 1995, 1:30-5:00 p.m.; and Friday, March 3, 1995, 8:00-12:00 a.m., and 1:30-5:00 p.m.

Address: American Institute of Architects (AIA), Denver Chapter Office, 1526 15th Street, Denver, Colorado 80202: (303) 446-2266.

The Agenda of This Meeting Will Be: Continue work begun by the Indian Memorial Advisory Committee and the National Park Service Support Team to produce a package that establishes the structure, rules, processes that will guide an upcoming national design competition for the creation of a memorial to the Indian participants in the 1876 conflict at Little Bighorn Battlefield National Monument, located at Crow Agency, Montana. This meeting will incorporate help from a select group of four architects under the sponsorship of the AIA. The architects will provide professional insight into formulating and managing design competitions and will help steer the final decisions of the sub-committee. The components of the meeting will consist of a review of project progress to date and discussion/decisions about; competition staging; advertising and promotional strategies; applicant registration, rules, and fees; design competition language; design criteria; base data needs and format; evaluation criteria; jury composition and scoring/selection alternatives; stipends for finalists; awards and commendations (amounts and categories); competition and design development schedule; and transforming the final design into a finished product.

Supplementary Information: The Advisory Committee was established under Title II of the Act of December 10, 1991, for the purpose of advising the Secretary on the site selection for a memorial in honor and recognition of the Indians who fought to preserve their land and culture at the Battle of Little Bighorn, on the conduct of a national design competition for the memorial, and ". . . to ensure that the memorial designed and constructed as provided in section 203 shall be appropriate to the monument, its resources and landscape, sensitive to the history being portrayed and artistically commendable."

For Further Information Contact: Ms. Barbara A. Booher, Indian Affairs Coordinator and Indian Advisory Committee Liaison, National Park Service, Rocky Mountain Regional Office, 12795 W. Alameda Parkway, P.O. Box 25287, Denver, Colorado 80225-0287, (303) 969-2511.

Dated: February 9, 1995.

Gerard Baker,

Superintendent, Little Bighorn Battlefield National Monument Designated Federal Official, National Park Service.

[FR Doc. 95-4317 Filed 2-21-95; 8:45 am]

BILLING CODE 4310-70-M

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before February 11, 1995. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013-7127. Written comments should be submitted by March 9, 1995.

Carol D. Shull,

Chief of Registration, National Register.

GEORGIA

Bibb County

Macon Historic District (Boundary Increase), Roughly, Adams St. and Linden Ave. S. W. and N of Tattall Sq. and Broadway and Third Sts. between Poplar and Pine Sts., Macon. 95000233

Macon Historic District (Boundary Decrease), Roughly bounded by College Pl., Calhoun and Elm and the CG RR tracks and Monroe, Jefferson, College and Hardeman. Macon, 95000234

MAINE

Cumberland County

Fitch's General Store and House, Long Hill Rd., E side, at jct. with ME 114, East Sebago, 95000215

Oxford County

Philbrook, Samuel D., House, 162 Main St., Bethel, 95000216

Piscataquis County

Slate House, 123 Church St., Brownville, 95000217

Waldo County

Pendleton, James G., House, 81 W. Main St., Searsport, 95000218

NEW JERSEY

Passaic County

Paterson City Hall, 155 Market St., Paterson, 95000232

NEW YORK

Greene County

Van Vechten, John, House, Susquehanna Tpk. (Co. Rd. 23B), Leeds, 95000212

Orange County