

Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Please reference permit under PRT-804406 in such comments.

Regional Permit Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345, (telephone 404/679-7110, fax 404/679-7280)

Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213, (telephone 601/965-4900, fax 601/965-4340)

**FOR FURTHER INFORMATION CONTACT:** Will MacDearman at the Jackson, Mississippi, Field Office, or Rick G. Gooch at the Atlanta, Georgia, Regional Office.

**SUPPLEMENTARY INFORMATION:** The gopher tortoise, *Gopherus polyphemus*, is listed as a threatened species in the western part of its range, from the Tombigbee and Mobile Rivers in Alabama west to southeastern Louisiana. As a native burrowing species of the fire-maintained longleaf pine ecosystem, typical gopher tortoise habitat consists of frequently burned longleaf pine or longleaf pine/scrub oak uplands on moderately well-drained to xeric soils. About 80 percent of the original habitat for gopher tortoises has been lost due to urbanization and agriculture. Certain forest management practices in remaining upland pine habitats have also adversely affected the gopher tortoise. Silvicultural systems using intensive site preparation, dense plantations and stands of loblolly pine or slash pine, and infrequent fire have reduced or eliminated the open forest and sunny forest floor of grasses and forbs where gopher tortoises burrow, nest, and feed. Though gopher tortoises are widely distributed in south Mississippi, most populations are fragmented, small in size, and functionally non-viable.

Section 9 of the Act, and implementing regulations, prohibits taking the gopher tortoise. Taking, in part, is defined as an activity that kills, injures, harms, or harasses a listed endangered or threatened species. Section 10(a)(1)(B) of the Act provides an exemption, under certain circumstances, to the Section 9 prohibition if the taking is incidental to, and not the purpose of otherwise lawful activities.

Gopher tortoise surveys conducted by the Applicant have identified at least one tortoise and six other burrows in the landfill operations area. Two of these burrows exhibited signs of recent gopher tortoise use within the past year.

This area will consist of four waste disposal cells and sites for the excavation and stocking of soil to be used to cover solid wastes. Tortoises within this area would be expected to be taken as an incidental consequence of landfill construction and operation. Heavy equipment operations can directly kill or injure tortoises as a result of their becoming crushed or entombed in burrows. The HCP describes measures the Applicant will take to avoid and mitigate such taking. Prior to landfill construction, the Applicant will survey the operations area to identify, trap, and relocate gopher tortoises to an adjacent site designated as a permanent gopher tortoise habitat conservation area. The conservation area, owned by the Applicant, consists predominately of suitable habitat, a longleaf pine/blackjack oak upland, that is partially occupied by other gopher tortoises. The Applicant will manage the conservation area using a program of prescribed fire and tree thinning to maintain and improve habitat conditions for the gopher tortoise. Without such active management, particularly the use of prescribed fire, gopher tortoise habitat would deteriorate as a natural consequence of ecological succession.

Also, a temporary conservation area will be managed using the same methods as in the permanent conservation area. About one-half of the temporary area contains solid waste cells that are forecast to be used about 20 years from now. No tortoises currently occupy this portion, though habitat is suitable. The remaining portion of the temporary area, which is occupied by tortoises, may be used within 5-10 years to provide soil for waste overfill. Tortoises in this remaining portion will be relocated to the permanent conservation area prior to landfill operations.

The EA considers the environmental consequences of two alternatives; issue the requested permit as conditioned by the HCP, or take no action (deny permit). The Service has made a preliminary determination that the Applicant has satisfactorily complied with the statutory and regulatory criteria for permit issuance. The Service's proposed alternative is to issue the requested incidental take permit. The principal environmental consequence of permit issuance, in the Service's assessment, is to the gopher tortoise. Permits authorizing the disposal and management of solid wastes at the landfill are otherwise administered according to Federal and State statutory/regulatory standards by the Environmental Protection Agency, the Mississippi Department of

Environmental Quality, and the Mississippi Permit Board.

Dated: July 6, 1995.

**Noreen K. Clough,**

*Regional Director.*

[FR Doc. 95-17162 Filed 7-12-95; 8:45 am]

BILLING CODE 4310-55-P

## Bureau of Land Management

[NV-060-1990-01; N64-95-001P]

### Notice of Intent to Prepare an Environmental Impact Statement for the Ruby Hill Mining Plan of Operation

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of Intent to prepare an Environmental Impact Statement for the Homestake Mining Company of California (HMC) Ruby Hill Project Plan of Operation for mining in Eureka County, Nevada, and notice of scoping period and public meetings.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969 as amended, and to 43 Code of Federal Regulations Part 3809, the Bureau of Land Management, Battle Mountain District (BLM) will be directing the preparation of an Environmental Impact Statement (EIS) for the proposed development of an open pit mine and associated facilities, in Eureka County, Nevada. The EIS will be prepared by a third party consultant and funded by the proponent, HMC. The BLM invites comments and suggestions on the scope of the analysis.

**DATES:** Scoping meetings will be held on August 7, 1995, from 6-8 p.m. at the Opera House in Eureka, Nevada, 10201 Main St.; and on August 9, 1995, from 7-9 p.m. at the Airport Plaza Hotel, 1981 Terminal Way, in Reno, Nevada. The purpose of these meetings is to identify issues to be addressed in the EIS, and to encourage public participation in the NEPA process. BLM representatives will present an overview of the NEPA process, public involvement, and anticipated environmental impacts resulting from the project. HMC representatives will be summarizing the Plan of Operations. Additional briefing meetings will be held as necessary. Written comments on the scope of the EIS will be accepted through September 5, 1995.

**ADDRESSES:** Scoping comments may be sent to: BLM, Battle Mountain District Manager, 50 Bastian Rd., P.O. Box 1420, Battle Mountain, NV 89820 ATTN: John Noneman.

**FOR FURTHER INFORMATION CONTACT:** John Noneman or Lynn Pettit, Project Managers, at (702) 635-4000.

**SUPPLEMENTARY INFORMATION:** HMC has recently submitted a proposal to develop a mining facility to be located just North of the historic Ruby Hill Mine, South of Highway 50, approximately 1.5 miles Northwest of the town of Eureka, Nevada. The project would consist of construction, operation, reclamation, and closure of an open pit mine including waste rock dump, heap leach facilities, mine office/warehouse, truck shop, haul roads, ore stockpiles, access road, diversion ditches, power transmission lines, water supply wells and pipelines, process solution transmission pipelines and a landfill. The project area is located within portions of Township 19 North, Range 53 East MDM, sections 2 to 11, inclusive, 14 to 18, inclusive, and 20-23 inclusive and portions of Township 20 North, Range 53 East sections 28 and 31 to 35, inclusive. Under the proposed action, an estimated total disturbance of 731 acres would occur. The area described includes about 729 acres of public land administered by the BLM, and 2 acres of private land owned by HMC. Project access will be via an improved gravel road from Highway 50. Current estimates call for mining 3,000-4,000 tons of ore and 30,000-40,000 tons of waste rock per day with front end loaders and off-highway haulage trucks.

Potentially significant and significant direct, indirect, cumulative and residual impacts from the proposal will be analyzed in the EIS. Significant issues to be addressed in the EIS include those relating to air quality, cultural resources, and social and economic values. Additional significant issues to be addressed may arise during the scoping process. Federal, state, and local agencies and other individuals or organizations who may be interested in or affected by the BLM's decision on this plan of operation are invited to participate in the scoping process.

Dated: July 7, 1995.

**Michael C. Mitchel,**

*Acting District Manager.*

[FR Doc. 95-17169 Filed 7-12-95; 8:45 am]

BILLING CODE 4310-HC-P

[NM-010-1430-01; NMNM 1647]

### Termination of Recreation and Public Purposes (R&PP) Classification and Opening Order, New Mexico

**AGENCY:** Bureau of Land Management, Department of the Interior.

**ACTION:** Notice.

**SUMMARY:** This notice terminates R&PP Classification NMNM 1647. The land will be opened to the public land laws generally, including disposal through exchange.

**EFFECTIVE DATE:** Termination of the classification is effective upon publication of notice. The land will be open to entry at 9 a.m. on August 14, 1995.

**FOR FURTHER INFORMATION CONTACT:** Chet Grandjean, Taos Resource Area Realty Specialist, 224 Cruz Alta Road, Taos, NM 87571, 505-758-8851.

**SUPPLEMENTARY INFORMATION:** In 1968, R&PP Patent 30-68-0081 issued to Santa Fe Council of Camp Fire Girls for campgrounds and shelters. In 1985, Tierra del Sol Council of Campfire, Inc. became the successor in interest to said patent. The land was not being used for the purposes conveyed, therefore, Tierra del Sol Council of Campfire, Inc. conveyed said land back to the United States. These public lands which are in Santa Fe County, New Mexico, have been examined and are suitable for disposal by exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716), as amended by the Federal Land Exchange Facilitation Act of August 20, 1988.

Pursuant to the R&PP Act of June 14, 1926, as amended (43 U.S.C. 869 et seq.) and the regulations contained in 43 CFR 2461.5(c)(2), R&PP Classification NMNM 1647 is hereby terminated in its entirety and the segregation for the following described land is hereby terminated:

#### New Mexico Principal Meridian

T. 15 N., R. 11 E.,

Sec. 32, N $\frac{1}{2}$ NW $\frac{1}{4}$ .

Containing 80.00 acres.

The classification no longer serves a needed purpose as to the land described above and is hereby terminated.

At 9 a.m. on August 14, 1995 the land will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregation of record, and the requirements of applicable law.

The land has been selected for exchange which is in relation to an ongoing exchange with the Nature Conservancy. The exchange will equalize a prior land exchange.

Dated: June 30, 1995.

**Gilbert J. Lucero,**

*Acting State Director.*

[FR Doc. 95-17181 Filed 7-12-95; 8:45 am]

BILLING CODE 4310-FB-P

[NV-930-1430-01; N-57459]

### Notice of Realty Action: Non-Competitive Sale of Public Lands

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Non-competitive sale of public lands in Clark County, Nevada.

**SUMMARY:** The following described public land in Pahrump, Nye County, Nevada has been examined and found suitable for classification for sale utilizing non-competitive procedures, at not less than the fair market value. Authority for the sale is Section 203 and Section 209 of Public Law 94-579, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713 and 43 U.S.C. 1719).

#### Mount Diablo Meridian, Nevada

T. 21 S., R. 54 E.,

Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

Containing 5 acres, more or less.

This parcel of land, situated in Pahrump is being offered as a non-competitive FLPMA sale to Mr. Edward E. Wheeler. This land is not required for any federal purposes. The sale is consistent with current Bureau planning for this area and would be in the public interest.

In the event of a sale, conveyance of the available mineral interests will occur simultaneously with the sale of the land. The mineral interests being offered for conveyance have no known mineral value. Acceptance of a direct sale offer will constitute an application for conveyance of those mineral interests. The applicant will be required to pay a \$50.00 nonreturnable filing fee for conveyance of the available mineral interests.

The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. Oil, gas, sodium, potassium and saleable minerals. and will be subject to:

1. An easement for roads, public utilities and flood control purposes in accordance with the transportation plan for Nye County/the City of Pahrump. Upon publication of this notice in the **Federal Register**, the above described land will continue to be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for sales and disposals under the mineral disposal laws. This segregation will terminate upon issuance of a patent or 270 days from the date of this publication, whichever occurs first.