

missionensis) and San Bruno elfin butterfly (*Callophrys mossii bayensis*) and/or their habitat during the construction of a housing development. The permit would become effective for the Callippe silverspot butterfly (*Speyeria callippe callippe*), currently proposed for endangered status, if it is listed under the Act. The permit would be in effect for 10 years.

The Service also announces the availability of an environmental assessment (EA) for the incidental take permit application, which includes the proposed Habitat Conservation Plan (HCP) fully describing the proposed project and mitigation, and the accompanying Implementing Agreement (IA). This notice is provided pursuant to section 10(a) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6). All comments, including names and addresses, received will become part of the official administrative record and may be made available to the public.

DATES: Written comments on the permit application, EA and IA should be received on or before April 10, 1996.

ADDRESSES: Comments regarding the application or adequacy of the EA and IA should be addressed to Mr. Joel Medlin, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Field Office, 2800 Cottage Way, Room E-1823, Sacramento, California 95825. Please refer to permit number PRT-811259 when submitting comments. Individuals wishing copies of the application, EA or IA for review should immediately contact the above office (916-979-2725).

FOR FURTHER INFORMATION CONTACT: Mr. Michael Horton or Ms. Tiki Baron, U.S. Fish and Wildlife Service, Sacramento Field Office, 2800 Cottage Way, Room E-1823, Sacramento, California 95825 (916-979-2725).

SUPPLEMENTARY INFORMATION:

Availability of Documents

Individuals wishing copies of the documents should immediately contact the Service's Sacramento Field Office at the above referenced address, or by telephone at (916) 979-2725. Documents will also be available for public inspection, by appointment, during normal business hours at the above address.

Background

Section 9 of the Act prohibits the "taking" of a species listed as threatened or endangered. However, the Service, under limited circumstances, may issue permits to take listed species incidental to, and not the purpose of,

otherwise lawful activities. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32; regulations governing permits for endangered species are promulgated in 50 CFR 17.22.

Parkside Homes proposes to construct 156 units of moderate-cost housing on a 25.4-acre parcel in South San Francisco, San Mateo County, California. The site is located on the north side of Sign Hill and faces the south side of San Bruno Mountain. Parkside Homes seeks coverage for the removal of habitat for the mission blue butterfly, San Bruno Elfin butterfly, and Callippe silverspot butterfly on 19.53 acres of the site. Though the proposed project would remove suitable habitat for these butterflies, the HCP involves the establishment of a 12.11-acre butterfly conservation area onsite to be maintained in perpetuity. The conservation area would include 5.87 acres of ungraded land and 6.24 acres of graded land, restored as butterfly habitat. All *Sedum spathulifolium* and *Viola pedunculata*, host plants for the San Bruno elfin butterfly and Callippe silverspot, respectively, within the grading plan would be transplanted to the conservation area. In addition, approximately 250 lupine (host plant for the mission blue butterfly) and 100 *Sedum* (host plant for the San Bruno elfin butterfly) would be planted in the conservation area. Other measures are specified in the HCP to minimize to potential for take during construction activities.

The EA considers the environmental consequences of three alternatives. The no project alternative would result in no immediate environmental impacts. However, under this alternative a butterfly conservation area would not be established and maintained in perpetuity, and the quality of the existing habitat may decline over time as a result of invasive exotic vegetation which exists on the site. This alternative was rejected because it would deny the landowner the opportunity to develop housing on the property and no enhancement of the site for listed species would occur. Alternative 1, the proposed action, was selected because: (1) It best satisfies the needs and purpose of the proposed project; (2) it is likely to result in a relatively low level of incidental take; and (3) impacts are minimized and mitigated through the establishment of a butterfly conservation area. The third alternative involves the development of 25 single family homes on one-acre lots over the entire 25.4-acre parcel. This alternative was not selected because: (1) The level of incidental take would likely be

greater than under the Preferred Alternative 1; and (2) and conservation areas established on site would be relatively small and fragmented.

This notice is provided pursuant to section 10(a) of the Act and National Environmental Policy Act of 1969 (NEPA) regulations (40 CFR 1506.6). The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that the requirements are met, a permit will be issued for the incidental take of the listed species. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: March 1, 1996.

Thomas Dwyer,

Deputy Regional Director, Region 1, Portland, Oregon.

[FR Doc. 96-5692 Filed 3-8-96; 8:45 am]

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Aquatic Nuisance Species Task Force Risk Assessment and Management Committee

AGENCY: Department of the Interior, Fish and Wildlife Service.

ACTION: Notice of document availability.

SUMMARY: This notice announces the availability for public comment two documents produced by the Risk Assessment and Management Committee (Committee), a committee of the Aquatic Nuisance Species Task Force. The documents are as follows: (1) Final Draft—Generic Nonindigenous Aquatic Organisms Risk Analysis Review Process; and, (2) Final Draft—Risk Assessment on the black carp (*Pisces: Cyprinidae*). The Aquatic Nuisance Species Task Force was established under the authority of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990.

DATES: Comment period ends on May 10, 1996.

ADDRESSES: Written responses and requests for copies of the documents should be mailed to: Richard Orr, Risk Assessment and Management Committee Chairman, U.S. Dept. of Agriculture, Animal and Plant Health Inspection Service—PPD, 4700 River Road, Unit 117, Riverdale, Maryland, 20737-1238.

FOR FURTHER INFORMATION CONTACT: Richard Orr, Risk Assessment and Management Committee Chairman at (301) 734-8939.

SUPPLEMENTARY INFORMATION: The Generic Nonindigenous Aquatic

Organisms Risk Analysis Review Process is the risk process developed through the Risk Assessment and Management Committee to help meet the requirements of the Aquatic Nuisance Prevention and Control Act of 1990 (P.L. 101-646, 104 Stat. 4761, 16 U.S.C. 4701 et seq., November 29, 1990). The objective of the Review Process is to provide a standardized process for evaluating the risk of introducing nonindigenous organisms into a new environment and, if needed, determining the correct risk management steps needed to mitigate the risk. The Review Process provides a framework where scientific, technical, and other relevant information can be organized into a format that is understandable and useful to managers and decision makers. The process was developed to function as an open process with early and continuous input from all identified interested parties and designed to be flexible and dynamic enough to accommodate a variety of approaches to nonindigenous organisms risk depending on the available resources, accessibility of the biological information, and the risk assessment methods available at the time of the assessment. The black carp was chosen as the test organism for the Review Process because it demonstrated: (1) A real issue in which the potential for positive gain (biological control of yellow grub and zebra mussel) has to be balanced with the potential of becoming established and causing economic and/or environmental damage on a new environment; (2) a real issue in which political, economic, and environmental concern were already present; and, (3) a situation in which there still exists time to correctly manage this issue to the benefit of the American people. This assessment is specific organism assessment and does not attempt to evaluate the black carp as a pathway.

Dated: February 29, 1996.

Gary Edwards,

*Assistant Director—Fisheries, Co-Chair,
Aquatic Nuisance Species Task Force.*

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Bureau of Land Management

[WO-320-1990-2-24 1A]

Notice of Proposed Information Collection, OMB Approval Number 1004-0110

AGENCY: Bureau of Land Management,
Interior.

ACTION: Notice and request for
comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is announcing its intention to request approval to collect certain information from owners of unpatented mining claims. This information is needed for BLM to implement the Multiple Surface Use Act of 1955; the Multiple Mineral Development Act of 1954; the Act of April 8, 1948; and the general mining laws.

DATES: Comments on the proposed information collection must be received by May 10, 1996, to be assured of consideration.

ADDRESSES: Comments may be mailed to: Regulatory Management Team (420), Bureau of Land Management, 1849 C Street NW, Room 401LS, Washington, D.C. 20240.

Comments may be sent via Internet to: WO140@attmail.com. Please include "ATTN: 1004-0110" and your name and return address in your Internet message.

Comments may be hand-delivered to the Bureau of Land Management Administrative Record, Room 401, 1620 L Street, NW, Washington, DC.

Comments will be available for public review at the L Street address during regular business hours (7:45 A.M. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Roger A. Haskins, (202) 452-0355.

SUPPLEMENTARY INFORMATION: In accordance with 5 CFR 1320.8(d), BLM is required to provide 60-day notice in the Federal Register concerning a proposed collection of information to solicit comments on (a) 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; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. BLM will receive and analyze any comments sent in response to this notice and include them with its request for approval from the Office of Management and Budget under 44 U.S.C. 3501 et seq.

To guard against use of mining claims for purposes unrelated to mining,

Congress passed the Multiple Surface Use Act of 1955 (69 Stat. 368, 30 U.S.C. 601-615), which is also known as Public Law 167, the Common Varieties Act, or the Surface Resources Act. Under the Act, mining claims located *after* the date of the Act (July 23, 1955) must only be used for prospecting, mining or processing operations and reasonably incident uses. Mining claims located *prior* to the date of the Act will be subject to the Act where, after notice and hearing, BLM determines the locator's surface rights are similarly limited. To defend against a Government inquiry as to the ownership of vegetal or mineral rights to locations made prior to July 23, 1955, an owner of an unpatented mining claim must submit the information required by the implementing regulations at 43 CFR 3712.2-3, including the date of location of the claim, the book and page of recordation of the notice or certificate of location, the section or sections of public land surveys which embrace the claim, whether the claimant is a locator or purchaser under the location, and the name and address of the claimant and of any other person with an interest in the claim.

BLM uses the information provided by the mining claimant to determine the applicability of the use restrictions of the Multiple Surface Use Act to pre-Act claims. If BLM did not collect this information, mining claims located prior to the Act could be used for purposes unrelated to mining, which frequently cause adverse environmental impacts or create health and safety hazards on the public lands. See *Unauthorized Activities on Hardrock Claims*, GAO-RCED-90-111.

In 1954, Congress passed the Multiple Mineral Development Act (68 Stat. 708, 30 U.S.C. 521-531) to eliminate conflicts between claimants of locatable minerals and permittees and lessees of leasable minerals, such as coal, oil and gas. The Act permits development of the same tract of public land under both systems of mineral disposal, that is, both mining claims under the general mining law and permits and leases under the Mineral Leasing Act of 1920 can cover the same piece of public domain.

To assert a right to Mineral Leasing Act deposits that lie under mining claims located prior to the date of the Act (August 13, 1954), a permittee or lessee may submit to BLM a request for publication under the implementing regulations at 43 CFR 3742.3-1. The request for publication must include a certified copy of the notice of application, offer, permit, or lease; an affidavit stating that the lands involved