

Sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ ;

Sec. 22, NE $\frac{1}{4}$ ;

Sec. 23, all;

Sec. 24, all.

T. 6 S., R. 50 E.,

Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{2}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;

Sec. 19, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ;

Sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;

Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$ .

Approximately 3,284.46 acres.

Exclusive Road Easement to be acquired by the U. S. Government, Bureau of Land Management from Gay Ranch, Incorporated in Powder River County, Montana:

Principal Meridian, Montana

T. 6 S., R. 50 E.,

Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

**DATES:** Interested parties may submit comments to the District Manager, Bureau of Land Management, 111 Garryowen Road, Miles City, Montana 59301, until May 28, 1996.

Any adverse comments will be evaluated by the BLM Montana State Director, who may sustain, vacate or modify this realty action. In the absence of any objections, this realty action will become the final determination of the Department of the Interior.

**FOR FURTHER INFORMATION CONTACT:**

Information related to this exchange and the environmental assessment is available for review at the Bureau of Land Management, Powder River Resource Area, 111 Garryowen Road, Miles City, Montana 59301, phone (406) 232-4331.

**SUPPLEMENTARY INFORMATION:**

The public lands described above are segregated from settlement, sale, location, and entry under the public land laws, including the mining laws, but not from the mineral leasing laws nor from exchange pursuant to Section 206 of the Federal Land Policy and Management Act of 1976, for a period of two years from the date of publication of this notice. The exchange will be made subject to:

1. A reservation to the United States of all mineral resources including the right to extract such minerals, a right-of-way for ditches or canals in accordance with 43 U.S.C. 945, and Montana Highway right-of-way reservation MTM-026230.

2. All valid existing rights of record including a road right-of-way to Powder River County, MTM-59941, and a power transmission line right-of-way to Tongue River Electric, Coop., MTM-57653.

3. Fair market value based on accepted appraisal methods.

4. The exchange must meet the requirements of 43 CFR 4110.4-2(b).

The two-year grazing cancellation notice was mailed on April 7, 1993, and a Grazing Cancellation Waiver has been signed.

This exchange is consistent with BLM policies and the Powder River RMP/EIS and has been discussed with state and local officials. The public interest will be served by completion of this exchange because it will enable the BLM to consolidate federal lands and acquire access to a block of federal lands, and will increase management efficiency of public lands in the area.

Dated: April 4, 1996.

Glenn A. Carpenter,

*District Manager.*

[FR Doc. 96-9042 Filed 4-10-96; 8:45 am]

**BILLING CODE 4310-DN-P**

## Bureau of Reclamation

### Garrison Diversion Unit

**AGENCY:** Bureau of Reclamation, Interior, in conjunction with Fish and Wildlife, Interior, and the North Dakota Game and Fish Department.

**ACTION:** Notice of availability and notice of public hearing on draft environmental impact statement DEIS.

**SUMMARY:** Pursuant to section 102(2)(c) of the National Environmental Policy Act of 1969, as amended, the Department of the Interior, Reclamation, in conjunction with the U.S. Fish and Wildlife Service and the North Dakota Game and Fish Department, has prepared a draft environmental impact statement (DEIS) on the proposed Arrowwood National Wildlife Refuge (NWR) mitigation project. The DEIS describes and presents the environmental effects of seven alternatives, including no action, for mitigating adverse impacts of Jamestown Reservoir operations on Arrowwood NWR. This mitigation is required by the Garrison Diversion Unit Reformulation Act of 1986 (Pub. L. 99-249) and the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 688dd). A public hearing will be held to receive comments from interested individuals and organizations on the environmental impacts of the proposal.

**DATES:** A 60-day public review period commences with the publication of this notice. The public hearing is scheduled as follows: Date: May 2, 1996, Time: 7:00 p.m., Location: Law Enforcement Center, Jamestown, ND.

The hearing will be preceded by an open house beginning at 4:00 p.m. during which EIS team members will answer questions in an informal setting.

Copies of the DEIS are available for inspection at, or may be requested from, the following address: Area Manager, Bureau of Reclamation, Attention: DK-611, P.O. Box 1017, Bismarck, ND 58502-1017; telephone: (701) 250-4242.

Copies of the DEIS are available for inspection at the following libraries:

Carrington City Library,  
Chester Fritz Library,  
University of North Dakota,  
Denver Office Library, U.S.,  
Bureau of Reclamation,  
Grand Forks Public Library,  
Jamestown Public Library,  
North Dakota State University Library,  
Oakes School and Public Libraries,  
Raugust Library, Jamestown College.

**FOR FURTHER INFORMATION CONTACT:** Greg Hiemenz, Arrowwood EIS Coordinator, Dakotas Area Office; telephone: (701) 250-4721.

**SUPPLEMENTARY INFORMATION:**

Arrowwood NWR is located on the James River in Stutsman and Foster Counties of North Dakota. The refuge has four impounded pools (Arrowwood Lake, Mud Lake, Jim Lake, and Deputy Marsh) which cover about 3,500 acres. Arrowwood NWR lies within the flood pool of Jamestown Reservoir, a component of the Garrison Diversion Unit, and has, on numerous occasions, been adversely affected by reservoir operations. Flood control operations of Jamestown Reservoir inundate the refuge pools for extended periods. The normal summer operating level of the reservoir causes backwater effects that limit water level management capability at the refuge. In addition, Jamestown Reservoir is a source of rough fish that invade the refuge, where they uproot aquatic plants and increase turbidity. The goal of the proposed action is to improve habitat management capability at the refuge during normal and dry years to offset impacts that result from flood storage in high runoff years. To date, the 2.8-mile Jim Lake drawdown channel (Final Finding of No Significant Impact and Environmental Assessment No. MS0150-91-09, August 1991) is the only mitigation measure that has been constructed.

Seven alternatives, including no action, are considered in the draft statement. The action alternatives comprise an incremental series of physical features, including water control structures and bypass channels, that could be constructed at Arrowwood NWR and Jamestown Reservoir to improve water management capability at the refuge. Fish barriers would be constructed below Arrowwood NWR to control movement of rough fish into the refuge. In addition, five of the six action

alternatives would lower the normal operating levels of Jamestown Reservoir and include measures to enhance the reservoir's sport fishery. The reservoir's summer target (top of joint-use pool) would be lowered from 1432.7 m.s.l. to 1431.0 m.s.l. The winter target (top of conservation pool) would be lowered from 1429.8 m.s.l. to 1428.0 m.s.l. Fishery enhancements would include planting of suitable vegetation in the upper end of Jamestown Reservoir to create additional spawning and nursery habitat. Three of the six action alternatives would require off-site mitigation, including acquisition of private lands for development as wildlife habitat, to fully mitigate impacts to the refuge.

The preferred alternative is the Mud and Jim Lakes Bypass—Lower Joint-use Pool Alternative. This is the least costly alternative that mitigates for all impacts without requiring any acquisition of private land. Principal new features of this alternative are:

- \* New water control structures at each of the four refuge pools.
- \* 7.0-mile channel along the east side of Mud Lake.
- \* 2.5-mile channel along the east side of Jim Lake.
- \* 3.1-mile channel improvement below Depuy Marsh.
- \* Three subimpoundments in Mud Lake and one subimpoundment in Jim Lake.
- \* Fish barriers at Depuy Dike and approximately 2 miles downstream.
- \* Improved road crossings at Mud Lake Dike and 2 miles downstream of Depuy Dike.
- \* Jamestown Reservoir joint-use pool lowered 1.8-feet.
- \* Fishery enhancements in Jamestown Reservoir.

The principal environmental consequences that would result from implementation of the preferred alternative include:

- \* Hydrology. Water management capability would improve at Arrowwood NWR. Jamestown Reservoir elevations would typically be about 2-feet lower during low to moderate flow periods. Flood storage capability in Jamestown Reservoir would increase slightly. There would be no significant change in releases from Jamestown Dam, or river flows in the city of Jamestown or downstream.
- \* Water Quality. Decreased depth of refuge pools could slightly increase eutrophication.
- \* Habitat. Increased water management capability at the refuge would improve habitat for migratory birds and other wildlife.

\* Fish. Fishery enhancements would improve spawning and nursery habitat for sport fish in Jamestown Reservoir. Lower reservoir levels would slightly increase the probability of a fish kill occurring during a prolonged drought.

\* Threatened and Endangered Species. Construction activities would not affect any species that are listed or are candidates for listing under the Endangered Species Act.

\* Recreation. Lower reservoir levels could affect boat access during a drought. Reclamation would work with the North Dakota Game and Fish Department to ensure that boat ramps remain operational.

\* Cultural Resources. Arrowwood Refuge has not been inventoried in its entirety. Construction would involve ground disturbance which could affect historic properties. Consultation would take place as required by the National Historic Preservation Act.

#### HEARING PROCESS INFORMATION:

Organizations and individuals wishing to present statements should contact the Bureau of Reclamation, Dakotas Area Office, at the above address, to announce their intention to participate. Requests for scheduled presentations will be accepted through 4 p.m. on April 30, 1996.

Oral comments at the hearing will be limited to 10 minutes. The hearing officer may allow any speaker to provide additional oral comments after all persons wishing to comment have been heard. Whenever possible, speakers will be scheduled according to the time preference mentioned in their letter or telephone requests. Speakers not present when called will lose their privilege in the scheduled order and will be recalled at the end of the scheduled speakers.

Written Comments from those unable to attend or those wishing to supplement their oral presentations at the hearing should be received by Reclamation's Dakota's Area Office at the Address above by May 10, 1996, for inclusion in the hearing record.

Dated: March 25, 1996.  
J.L. Wedeward,  
*Acting Regional Director.*  
[FR Doc. 96-9058 Filed 4-10-96; 8:45 am]  
BILLING CODE 4310-09-P

### Fish and Wildlife Service

#### Notice of Receipt of Application for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section

10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*):

PRT-813109

*Applicant:* Mr. Robert W. Criswell,  
Huntingdon, Pennsylvania.

The applicant requests a permit to take (capture for photography and release) spotfin chub, *Cyprinella monacha*, amber darter, *Percina antesella*, duskytail darter, *Etheostoma percnurum*, snail darter, *Percina tanasi*, and blue shiner, *Cyprinella caerulea*, throughout waters of Tennessee for the purpose of enhancement of survival of the species.

PRT-813108

*Applicant:* Dr. Brooks M. Burr and Mr. William J. Poly, Southern Illinois University, Carbondale, Illinois.

The applicants request a permit to take (capture, mark, and release; and sacrifice selected individuals for food habits and genetic studies) the endangered palezone shiner, *Notropis albizonatus*, from the Little South Fork Cumberland River, Wayne and McCreary Counties, Kentucky and from Paint Rock River, Jackson County, Alabama for the purpose of enhancement of survival of the species.

PRT-812344

*Applicant:* Mr. Wendell Pennington,  
Pennington and Associates, Inc.,  
Cookeville, Tennessee.

The applicant requests an amendment to their current application to expand the scope of work to include take (capture, identify, and release) of federally listed fish, mollusks, and arthropods from throughout the species' ranges in Tennessee, Kentucky, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Texas, Florida, Wisconsin, Ohio, Pennsylvania, West Virginia, Iowa, Illinois, Missouri, Arkansas, Louisiana, and Kansas for the purpose of enhancement of survival of the species.

Written data or comments on these applications should be submitted to: Regional Permit Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345. All data and comments must be received within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S.