Total Estimated Burden Hours: 938.

Status: Revision of a currently approved collection.

Contact: Sonya K. Suarez, HUD, (202) 708–2884; Joseph F. Lackey, Jr., OMB, (202) 395–7316.

The Department has submitted the proposal for the collection of information to OMB for emergency review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). May 2, 1996 is requested for OMB approval.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: April 24, 1996.

David S. Cristy,

Director, IRM Policy and Management Division.

[FR Doc. 96–10688 Filed 4–30–96; 8:45 am]

BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

National Environmental Policy Act Revised Implementing Procedures

AGENCY: Department of the Interior.

ACTION: Notice of proposed revised procedures for the Fish and Wildlife Service (Service).

SUMMARY: This notice announces proposed revised procedures for implementing the National Environmental Policy Act (NEPA) within the Fish and Wildlife Service. The proposed revisions will update the agency's procedures, originally published in 1984, based on changing trends, laws, and public concerns. Most importantly, the revisions reflect new initiatives and Congressional mandates for the Service, particularly involving new authorities for land acquisition activities, expansion of grant programs and other private land activities, and increased Endangered Species Act permit and recovery activities. The revisions provide information on being a cooperating agency with other Federal agencies; early coordination techniques for streamlining the NEPA process with other Federal agencies, the States, and the private sector; and integrating the NEPA process with other environmental laws and executive orders.

DATES: Comments must be received no later than June 17, 1996.

ADDRESSES: Comments should be sent to Jamie Clark, Assistant Director for Ecological Services, U.S. Fish and Wildlife Service, Room 3024, 1849 C Street, N.W., Washington D.C. 20240.

FOR FURTHER INFORMATION CONTACT: Don Peterson, Environmental Coordinator, Fish and Wildlife Service, at (703) 358–2183.

SUPPLEMENTARY INFORMATION: The Service's existing procedures for implementing the National Environmental Policy Act appear in Appendix 1 to Chapter 6, Part 516, of the Departmental Manual (516 DM 6, Appendix 1). These procedures are consistent with the Council on Environmental Quality's (CEQ) regulations for implementing NEPA. These procedures were previously published in the Federal Register on July 1, 1982 (47 FR 28841), and were incorporated into the Departmental Manual on April 30, 1984.

The revisions proposed in this notice will update organizational changes in the Service (Section 1.1); provide general Service NEPA guidance (Section 1.2); update guidance to State, local, and private applicants for permits and Federal assistance provided through Service-administered programs (Section 1.3); update and expand the categorical exclusions to reflect increased responsibilities, including the implementation of several new programs (Section 1.4); add a new section that identifies actions normally requiring an environmental assessment (EA) (Section 1.5); and revise the list of major actions normally requiring the development of an environmental impact statement (EIS) (Section 1.6). The major changes in the revisions are listed below.

Section 1.1 NEPA Responsibility

This section is updated to reflect the current organizational structure of the Service. The Division of Habitat Conservation provides internal control for ensuring compliance with NEPA, including developing and conducting specialized NEPA training courses for Service personnel. The revisions provide greater flexibility to the Regional Directors for coordinating the management of NEPA compliance responsibilities with all program areas in the Region.

1.2 General Service Guidance

This new section lists Service NEPA guidance documents. These documents include information on being a cooperating agency with other Federal agencies, early coordination techniques for streamlining the NEPA process, and integrating the NEPA process and documents with other environmental laws and executive orders to reduce duplication.

Section 1.3 Guidance to Applicants

This section is updated to reflect new laws, regulations, and changes in internal procedures for providing permits and Federal assistance to applicants. Most importantly, this section recognizes new authorities for land acquisition and technical assistance activities, and expansion of grant programs and other activities for State, local, and private entities. Since 1984, new grant and technical assistance programs were established, including the North American Wetlands Conservation Act; Food Security Act of 1985; Food, Agriculture, Conservation, and Trade Act of 1990; Consolidated Farm and Rural Development Act of 1990; Coastal Wetlands Planning Protection and Restoration Act; and Clean Vessel Act of 1992. This section is reorganized to more clearly provide applicants with addresses on how to obtain information, where to request funds and assistance, and how to assist the Service in NEPA compliance matters.

Section 1.4 Categorical Exclusions

Numerous revisions are made in this section to reflect changing laws and program activities. Additional general language is inserted at the beginning of the section to clarify what constitutes a categorical exclusion, and the exceptions to categorical exclusions. When an exception is applicable (such as a high degree of controversy over environmental effects), the proposed action would require the preparation of an EA or EIS. Major revisions to the categorical exclusions are indicated below.

A(4). The phrase ''continuance of essentially the existing land use is planned'' is deleted and replaced by the phrase ''continuance of or minor modifications to the existing land use is planned'' to recognize that land acquisition actions often involve small parcels that result in a change in land use (such as from a soybean field to a wet meadow) that routinely have no or negligible environmental effects. Small land acquisition actions are increasing due to a number of factors, primarily the increasing unavailability of large parcels. Following acquisition of land, if large wetlands restoration developments are planned, such as the construction of major dikes and water control structures, an EA or EIS would be prepared.

B(3). The existing categorical exclusion for small construction activities is revised to clarify that it includes new construction in unimproved areas as well as the

addition of small structures and improvements to areas with existing improvements. The language also clarifies that such small projects can include the restoration of wetland, riparian, instream, or native habitats. This categorical exclusion recognizes the increase in small restoration projects conducted by the Service pursuant to the general fish and wildlife conservation provisions of the Fish and Wildlife Act of 1956. These activities may include fencing, construction of small water control structures, seeding and other minor revegetation actions, construction of small berms and dikes, and development of limited access for routine maintenance and management purposes.

B(4) and (5). These categorical exclusions are added to address routine fire management activities, when conducted in accordance with Federal, State, and local laws and procedures.

B(9) and (10). These categorical exclusions are added to clarify that the issuance of new or revised management plans with only minor changes are categorically excluded. The existing categorical exclusions A(1) and B(2) are not specific enough and occasionally have led to confusion.

B(11). This categorical exclusion on natural resource damage assessment restoration plans is added to allow such plans to be categorically excluded when minor or negligible change in the capacity or use of the affected areas is planned. The Service generally prepares these plans, in response to a settlement agreement, for the restoration of off-site environmental damages associated with hazardous waste sites or hazardous material spills. This activity is new since 1984. When significant changes and impacts are anticipated, the categorical exclusion does not apply, and an EA or EIS will be prepared.

C(1). The existing categorical exclusion for the issuance of fish and wildlife permits under 50 CFR is revised to include the issuance of permits when there is no or negligible environmental disturbance. The existing categorical exclusion is not sufficient to handle the full extent of permit activities occurring since 1984. The existing categorical exclusion does not apply when such permits involve the killing, the removal from natural habitat, or the permanent impairment of reproductive capability of endangered species, threatened species, eagles, or marine mammals. For example, an increased number of permits are being issued for activities involving migratory birds, marine mammals, endangered and threatened species (i.e., incidental take, scientific research, public display), listed under the Convention on International Trade in Endangered Species (CITES), wild exotic birds, eagles, and injurious wildlife. The proposed revision would allow permit issuance to be categorically excluded when they meet the criteria that the permits would have no or negligible environmental effects. This revision is meant to focus on actions which suitably fit CEQ's definition of categorical exclusion (40 CFR 1508.4), including situations where there are no or negligible environmental effects from actions which might take one or a small number of individuals. The revision clarifies that the categorical exclusion applies to the denial, suspension, and revocation, as well as issuance, of the permit.

C(2). This categorical exclusion is added to cover the issuance of section 10(a)(1)(B) incidental take permits under the 1982 amendments of the Endangered Species Act. Specifically, the exclusion addresses only those permits for ''low-effect'' actions where, individually and cumulatively, minor or negligible impacts would occur to listed species or the environment as a result of the action. Incidental take permits are required for non-Federal parties proposing actions that result in ''take'' of a listed species during otherwise lawful activities. This categorical exclusion provides guidance for the issuance of such permits not addressed in the general permit categorical exclusion C(1) above. Under the Endangered Species Act, all section 10(a)(1)(B) permits must be accompanied by an approved habitat conservation plan and meet statutory issuance criteria. The Section 10(a)(1)(B) Handbook provides additional guidance on the definition of a ''low-effect'' habitat conservation plan. Since 1982, approximately 141 permits and 15 permit amendments have been issued. Currently, the number of permit applications is rapidly increasing, and approximately 200 habitat conservation plans are in various stages of development. The Service anticipates that this trend will continue, due to an increase in listed species and continued agricultural, commercial, and residential developments in areas where such species occur. This categorical exclusion is intended to assist in streamlining the processing of section 10(a)(1)(B) permits where, individually and cumulatively, minor or negligible impacts to the listed species or other environmental entities would occur as a result of the proposed action. The categorical exclusion does not apply to habitat conservation plans that do not meet the definition of ''low-effect'' in the Section 10(a)(1)(B) Handbook.

C (5) and (6). These revised categorical exclusions for proposed actions on national wildlife refuges requiring special use permits would replace categorical exclusions C (4) and (5) in the current procedures. The new language reflects changes in Service policy to ensure that before proposed actions requiring special use permits can be categorically excluded, such actions must be compatible with the purposes for which the refuge was established, and meet other requirements. Categorical exclusion C(6) can be used if an applicant's proposal is not reviewed or considered, or will not be evaluated due to a conflict with Service policy, regulations, or procedures. Although NEPA compliance is not required in absence of a proposed action, this categorical exclusion is included for clarification purposes.

C(7). This categorical exclusion, which addresses several types of routine Service law enforcement activities, is added to clarify that these activities, not specifically covered under the existing 516 DM 2, Appendix 1.4, are also categorically excluded.

D. This categorical exclusion on the issuance of recovery plans prepared under section 4(f) of the Endangered Species Act is added to clarify that the issuance of recovery plans is categorically excluded. Recovery plans do not, in themselves, impose mandatory actions. Instead, the plans identify specific tasks that can be carried out that, if implemented, would lead to the recovery of the species. Recovery plans are not proposed actions from the standpoint of NEPA. Additionally, section 1003 of the 1988 amendments to the Endangered Species Act requires that prior to final approval of a new or revised recovery plan, the Secretary of the Interior shall ''provide public notice and an opportunity for public review and comment on such plan.'' The Service currently considers recovery plans to be categorically excluded under a general categorical exclusion covering technical assistance and consultations in the Departmental Manual (516 DM 2, Appendix 1.10). This determination is indicated in a memorandum from the Director to the Regional Directors (through Assistant Solicitor for Fish and Wildlife), dated November 5, 1986; and in a memorandum from the Deputy Director to the Regional Directors, dated September 10, 1991. The NEPA process would apply to the specific tasks in the recovery plans whenever the Service proposes their implementation, where appropriate.

E(1). This categorical exclusion on grants and other financial assistance, where the environmental effects are minor or negligible, is revised to include not only grants, but other forms of financial assistance, such as cooperative agreements. Cooperative agreements are commonly used in the implementation of small projects to benefit fish and wildlife through Federal, State, local government, or private lands restorations.

Section 1.5 Actions Normally Requiring an EA

A. The existing language under 1.3A states that the Service will normally require the preparation of an EIS for the establishment of new refuges, fish hatcheries, or research stations and major additions to existing installations. The proposed revision states that the establishment of most new refuges and fish hatcheries, and most additions and rehabilitations to existing installations will require an EA. Further, the proposed revision states that if the EA determines that the proposal is a major Federal action significantly affecting the quality of the human environment, an EIS will be prepared. The determination will be made following review of the EA by the affected public. This subsection is revised based on experience implementing CEQ's NEPA regulations. Since 1984, 76 new refuges have been established. Most are small in size and do not meet the significance criteria for requiring an EIS listed in the Service Manual on NEPA compliance [30 AM 3.9B(2)(d)], which is consistent with the intent of section 102(2)(C) of NEPA. In fact, since 1984, only seven EISs were required for the establishment of new refuges based on significant impacts, and none for major additions to existing facilities. Further developments on refuges, such as major changes in the management of the land, rather than the establishment of the refuge, are more likely to result in the preparation of an EIS. Since 1984, only a few fish hatcheries have been established, all requiring an EA. Reference to research stations has been deleted in the proposed revisions, since they are now the responsibility of the National Biological Service, also in the Department of the Interior. The proposed revision also states that any habitat conservation plan that does not meet the definition of ''low-effect'' in the Section 10(a)(1)(B) Handbook will require an EA.

Section 1.6 Major Actions Normally Requiring the Preparation of an EIS

A(1). This subsection on the establishment of refuges, fish hatcheries, and major additions to existing installations, revises the existing procedures to reflect the actual record of those situations that, since 1984, normally result in the preparation of an EIS. Several criteria are listed that, based on our experience since 1984, better identify the circumstances under which the Service may require the preparation of an EIS. These criteria are: substantive conflicts over existing State and local land use occur, significant controversy exists over the environmental effects of the proposal, or remediation of major on-site sources of contamination is required. These criteria will be weighed with respect to intensity and duration before a decision is made whether to prepare an EIS. These criteria are not inclusive, in that other factors could require the Service to prepare an EIS, within the meaning of section 102(2)(C) of NEPA. Refer to the discussion in Section 1.5.

A(2). This subsection combines the existing two parts [1.3(A) (2) and (3)].

DEPARTMENTAL MANUAL

516 DM 6 Appendix 1

Fish and Wildlife Service

1.1 NEPA Responsibility

A. The Director is responsible for NEPA compliance for Fish and Wildlife Service (Service) activities, including approval recommendations to the Assistant Secretary (FW) for proposed referrals to the Council on Environmental Quality (CEQ) of other agency actions under 40 CFR part 1504.

B. Each Assistant Director (Refuges and Wildlife, Fisheries, International Affairs, and Ecological Services) and the Deputy Director for External Affairs (Federal Aid) is responsible for general guidance and compliance in their respective areas of responsibility.

C. The Assistant Director for Ecological Services has been delegated oversight responsibility for Service NEPA compliance.

D. The Division of Habitat Conservation (DHC–Washington), which reports to the Assistant Director for Ecological Services, is responsible for internal control of the environmental review and analysis of documents prepared by other agencies and environmental statements prepared by the various Service Divisions. This office is also responsible for preparing Service NEPA procedures, guidelines, and instructions, and for supplying technical assistance and specialized training in NEPA compliance, in cooperation with the Service Office of Training and Education, to Service entities. The Washington Office Environmental Coordinator, who reports to DHC, provides staff assistance on NEPA matters to the Director, Assistant Directors and their divisions and offices, and serves as the Service NEPA liaison to the CEQ, the Department's Office of Environmental Policy and Compliance (OEPC), and NEPA liaisons in other Federal agencies, in accordance with 516 DM 6.2.

E. Each Regional Director is responsible for NEPA compliance in his/her area of responsibility. An individual in each Regional Office, named by title and reporting to the Assistant Regional Director for Ecological Services, or other appropriate Assistant Regional Director, or the Regional Director, will have NEPA coordination duties with all program areas at the Regional level similar to those of the Washington Office Environmental Coordinator, in accordance with 516 DM 6.2.

1.2 General Service Guidance

Service guidance on NEPA matters is found in 30 AM 2–3 (organizational structure and internal compliance), 505 FW 1–5 (environmental reviews of other agency environmental documents), and in 550 FW 1–3 (in preparation). These guidance documents provide information on being a cooperating agency with other Federal agencies, early coordination techniques for streamlining the NEPA process, and integrating the NEPA process with other environmental laws and executive orders. Some Service programs have additional NEPA compliance information related to specific program planning and decisionmaking activities. Service program guidance on NEPA matters must be consistent with the Service Manual on NEPA guidance and departmental NEPA procedures. For example, additional NEPA guidance is found in the Federal Aid Handbook (521–523 FW), refuge planning guidance (602 FW 1–3), Handbook for Habitat Conservation Planning and Incidental Take Processing, and North American Wetlands Conservation Act Grant Application Instructions.

1.3 Guidance to Applicants

A. Service Permits. The Service has responsibility for issuing permits to Federal and State agencies and private parties for actions which would involve certain wildlife species and/or use of Service-administered lands. When applicable, the Service may require permit applicants to provide additional information on the proposal and on its environmental effects as may be necessary to satisfy the Service's requirements to comply with NEPA,

other Federal laws, and executive orders.

(1) Permits for the Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, or Importation of Certain Wildlife Species. The Code of Federal Regulations, Part 13, Title 50 (50 CFR 13) contains regulations for General Permit Procedures. Section 13.3 lists types of permits and the pertinent Parts of 50 CFR. These include: Importation, Exportation, and Transportation of Wildlife (Part 14); Exotic Wild Bird Conservation (Part 15); Injurious Wildlife (Part 16); Endangered and Threatened Wildlife and Plants (Part 17); Marine Mammals (Part 18); Migratory Bird Hunting (Part 20); Migratory Bird Permits (Part 21); Eagle Permits (Part 22); Endangered Species Convention (Part 23); and Importation and Exportation of Plants (Part 24). Potential permit applicants should request information from the appropriate Regional Director, or the Office of Management Authority, U.S. Fish and Wildlife Service, Department of the Interior, Washington, DC 20240, as outlined in the applicable regulation.

(2) Federal Lands Managed by the Service. Service lands are administered under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee), the Refuge Recreation Act of 1962 (16 U.S.C. 460k–460k–4), and the Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 410hh–3233, 43 U.S.C. 1602–1784). Inherent in these acts is the requirement that only those uses that are compatible with the purposes of the refuge unit may be allowed on Service lands. Detailed procedures regarding comprehensive management planning and integration with NEPA are found in the Service Manual (602 FW 1–3). Reference to this and other National Wildlife Refuge System requirements are found in the Code of Federal Regulations, Title 50 parts 25–29, 31–36, 60, and 70–71. Under these regulations, these protections are extended to all Service-administered lands, including the National Fish Hatchery System.

B. Permits, Licenses, and Other Proposed Activities Reviewed by the Service Under the Fish and Wildlife Coordination Act (FWCA). Under provisions of the Fish and Wildlife Coordination Act (16 U.S.C. 661–667e; 48 Stat. 401, as amended), the Service investigates and reports on proposals by any department or agency of the United States, or by any public or private agency under Federal permit or license, that may impound, divert, deepen, or otherwise control or modify any stream or other water body. Private parties' and government agencies' planning activities that may require a permit or license for activities of this kind are encouraged to consult with the Service at the onset of planning. Applications to other Federal agencies for these actions will be forwarded to the Service and reviewed according to the Environmental Protection Agency's (EPA) section 404(b)(1) Guidelines (40 CFR 230) and the Service's Mitigation Policy (501 FW 2).

C. Federal Assistance to States, Local, or Private Entities.

(1) Federal Assistance Programs. The Service administers financial assistance (grants and/or cooperative agreements) to State, local, and private entities under the Anadromous Fish Conservation Act (CFDA #15.600); North American Wetlands Conservation Act; Fish and Wildlife Act of 1956; Migratory Bird Conservation Act; Food Security Act of 1985; Food, Agriculture, Conservation and Trade Act of 1990; Partnerships for Wildlife Act of 1992; and Consolidated Farm and Rural Development Act. The Service administers financial assistance to States under the Sport Fish Restoration Act (CDFA #15.605), Wildlife Restoration Act (CFDA #15.611), Endangered Species Act (CFDA #15.612 and 15.615), Coastal Wetlands Planning Protection and Restoration Act (CFDA ι15.614), and Clean Vessel Act of 1992 (CFDA #15.616).

(2) Program Information and NEPA Compliance. Information on how State, local, and private entities may request funds and assist the Service in NEPA compliance relative to the Anadromous Fish Conservation Act may be obtained through the Division of Fish and Wildlife Management Assistance, U.S. Fish and Wildlife Service, Department of the Interior, Arlington Square Building, Room 840, Washington, D.C. 20240. Similar information regarding the North American Wetlands Conservation Act may be obtained through the North American Waterfowl and Wetlands Office, U.S. Fish and Wildlife Service, Department of the Interior, Arlington Square Building, Room 110, Washington, D.C. 20240. All other requests for information on how funds may be obtained and guidance on how to assist the Service in NEPA compliance may be obtained through the Chief, Division of Federal Aid, U.S. Fish and Wildlife Service, Department of the Interior, Arlington Square Building, Room 140, Washington, D.C. 20240.

1.4 Categorical Exclusions

Categorical exclusions are classes of actions which do not individually or cumulatively have a significant effect on the human environment. Categorical exclusions are not the equivalent of statutory exemptions. If exceptions to categorical exclusions apply, under 516 DM 2, Appendix 2 of the Departmental Manual, the departmental categorical exclusions cannot be used. In addition to the actions listed in the departmental categorical exclusions outlined in Appendix 1 of 516 DM 2, the following Service actions are designated categorical exclusions unless the action is an exception to the categorical exclusion.

A. General. (1) Changes or amendments to an approved action when such changes have no or minor potential environmental impact.

(2) Personnel training, environmental interpretation, public safety efforts, and other educational activities, which do not involve new construction or major additions to existing facilities.

(3) The issuance and modification of procedures, including manuals, orders, guidelines, and field instructions, when the impacts are limited to administrative effects.

(4) The acquisition of real property obtained either through discretionary acts or when acquired by law, whether by way of condemnation, donation, escheat, right-of-entry, escrow, exchange, lapses, purchase, or transfer and that will be under the jurisdiction or control of the United States. Such acquisition of real property shall be in accordance with 602 DM 2 and the Service's procedures, when the acquisition is from a willing seller, continuance of or minor modification to the existing land use is planned, and the acquisition planning process has been performed in coordination with the affected public.

B. Resource Management. (1) Research, inventory, and information collection activities directly related to the conservation of fish and wildlife resources which involve negligible animal mortality or habitat destruction, no introduction of contaminants, or no introduction of organisms not indigenous to the affected ecosystem.

(2) The operation, maintenance, and management of existing facilities and routine recurring management activities and improvements, including renovations and replacements which result in no or only minor changes in the use, and have no or negligible environmental effects on-site or in the vicinity of the site.

(3) The construction of new, or the addition of, small structures or improvements, including structures and improvements for the restoration of wetland, riparian, in stream, or native

habitats, which result in no or only minor changes in the use of the affected local area. The following are examples of activities that may be included.

i. The installation of fences.

ii. The construction of water control structures.

iii. The planting of seeds or seedlings and other minor revegetation actions.

iv. The construction of small berms or dikes.

v. The development of limited access for routine maintenance and management purposes.

(4). The use of prescribed burning for habitat improvement purposes, when conducted in accordance with local and State ordinances and laws.

(5). Fire management activities, including prevention and restoration measures, when conducted in accordance with departmental and Service procedures.

(6) The reintroduction (e.g., stocking) of native, formerly native, or established species into suitable habitat within their historic or established range.

(7) Minor changes in the amounts or types of public use on Service or State-managed lands, in accordance with existing regulations, management plans, and procedures.

(8) Consultation and technical assistance activities directly related to the conservation of fish and wildlife resources.

(9) Minor changes in existing master plans, comprehensive conservation plans, or operations, when no or minor effects are anticipated. Examples could include minor changes in the type and location of compatible public use activities and land management practices.

(10) The issuance of new or revised site, unit, or activity-specific management plans for public use, land use, or other management activities when only minor changes are planned. Examples could include an amended public use plan or fire management plan.

(11) Natural resource damage assessment restoration plans, prepared under sections 107, 111, and 122(j) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA); section 311(f)(4) of the Clean Water Act; and the Oil Pollution Act; when only minor or negligible change in the use of the affected areas is planned.

C. Permit and Regulatory Functions. (1) The issuance, denial, suspension, and revocation of permits for activities involving fish, wildlife, or plants regulated under 50 CFR Chapter 1, Subsection B, when such permits cause no or negligible environmental disturbance. These permits involve endangered and threatened species, species listed under the Convention on International Trade in Endangered Species (CITES), marine mammals, wild exotic birds, migratory birds, eagles, and injurious wildlife.

(2) The issuance of ESA section 10(a)(1)(B) ''low-effect'' incidental take permits that, individually or cumulatively, have a minor or negligible effect on the species covered in the habitat conservation plan.

(3) The issuance of special regulations for public use of Service-managed land, which maintain essentially the permitted level of use and do not continue a level of use that has resulted in adverse environmental effects.

(4) The issuance or reissuance of permits for limited additional use of an existing right-of-way for buried power, telephone, or pipelines, where no new structures (i.e., facilities) or major improvements to those facilities are required; and for permitting a new right-of-way, where no or negligible environmental disturbances are anticipated.

(5) The issuance or reissuance of special use permits for the administration of specialized uses, including agricultural uses, or other economic uses for management purposes, when such uses are compatible, contribute to the purposes of the refuge, and result in no or negligible environmental effects.

(6) The denial of special use permit applications, either initially or when permits are reviewed for renewal, when the proposed action is determined not compatible with the purposes for which the refuge was established.

(7) Activities directly related to the enforcement of fish and wildlife laws, not included in 516 DM 2, Appendix 1.4. These activities include:

(a) Assessment of civil penalties.

(b) Forfeiture of property seized or subject to forfeiture.

(c) The issuance or reissuance of rules, procedures, standards, and permits for the designation of ports, inspection, clearance, marking and license requirements pertaining to wildlife and wildlife products, and for the humane and healthful transportation of wildlife.

(8) Actions where the Service has concurrence or coapproval with another agency and the action is a categorical exclusion for that agency. This would normally involve one Federal action or connected actions where the Service is a cooperating agency.

D. Recovery Plans. Issuance of recovery plans under section 4(f) of the ESA.

E. Financial Assistance. (1) State, local, or private financial assistance (grants and/or cooperative agreements), including State planning grants and private land restorations, where the environmental effects are minor or negligible.

(2) Grants for categorically excluded actions in paragraphs A, B, and C, above; and categorically excluded actions in Appendix 1 of 516 DM 2.

1.5 Actions Normally Requiring an EA

A. Proposals to establish most new refuges and fish hatcheries; and most additions and rehabilitations to existing installations.

B. Any habitat conservation plan that does not meet the definition of ''low-effect'' in the Section 10(a)(1)(B) Handbook.

C. If, for any of the above proposals, the EA determines that the proposal is a major Federal action significantly affecting the quality of the human environment, an EIS will be prepared. The determination will be made following review of the EA by the affected public.

1.6 Major Actions Normally Requiring an EIS

A. The following Service proposals, when determined to be a major Federal action significantly affecting the quality of the human environment, will normally require the preparation of an EIS.

(1) Major proposals establishing new refuges, fish hatcheries, or major additions to existing installations, which involve substantive conflicts over existing State and local land use, significant controversy over the environmental effects of the proposal, or the remediation of major on-site sources of contamination.

(2) Master or comprehensive conservation plans for major new installations, or for established installations, where major new developments or substantial changes in management practices are proposed.

B. If, for any of the above proposals it is initially determined that the proposal is not a major Federal action significantly affecting the quality of the human environment, an EA will be prepared and handled in accordance with 40 CFR 1501.4(e)(2). If the EA subsequently indicates the proposed action will cause significant impacts, an EIS will be prepared.

[*Notice:* Notice of Proposed Revised NEPA Procedures for the Fish and Wildlife Service.]

Dated: April 25, 1996.

Willie Taylor,

Director, Office of Environmental Policy and Compliance, Office of the Secretary, U.S. Department of the Interior.

[FR Doc. 96–10678 Filed 4–30–96; 8:45 am]

BILLING CODE 4310–55–M

Fish and Wildlife Service

Notice of Receipt of Applications 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–814235

Applicant: David Zellmer, Libertyville, IL.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok *(Damaliscus pygargus dorcas)* culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

PRT–814091

Applicant: Oliver London, Golden Valley, MN.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok *(Damaliscus pygargus dorcas)* culled from a captive herd maintained by African Bush Safaris for the purpose of enhancement of the survival of the species.

PRT–814097

Applicant: University of New Mexico, Albuquerque, NM.

The applicant requests a permit to import blood samples collected from wild caught Galapagos penguins *(Spheniscus mendicules)* in the Galapagos Islands, for the purpose of scientific research.

PRT–814085

Applicant: The Field Museum of Natural History, Chicago, IL.

The applicant requests a permit to import 1 weasel lemur *(Lepilemur ruficaudatus)*, 10 mouse lemurs *(Microcebus murinus)*, 1 mouse lemur *(Microcebus myoxinus)*, and 2 mouse lemurs *(Microcebus spp.)*, dead wild caught and salvaged specimens from the Department of Water and Forests, Madagascar, for the purpose of scientific research.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203 and must be received by the Director 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. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203. Phone: (703/358–2104); FAX: (703/358–2281).

Dated: April 26, 1996.

Mary Ellen Amtower,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 96–10759 Filed 4–30–96; 8:45 am]

BILLING CODE 4310–55–P

Bureau of Indian Affairs

Receipt of Petition for Federal Acknowledgment of Existence as an Indian Tribe

This is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(a) (formerly 25 CFR 54.8(a)) notice is hereby given that the Apalachee Indian Tribe, 220 Stovall Road, Alexandria, Louisiana 71303, has filed a petition for acknowledgment by the Secretary of the Interior that the group exists as an Indian tribe. The petition was received by the Bureau of Indian Affairs (BIA) on January 22, 1996, and was signed by members of the group's governing body.

This is a notice of receipt of petition and does not constitute notice that the petition is under active consideration. Notice of active consideration will be sent by mail to the petitioner and other interested parties at the appropriate time.

Under Section 83.9(a) (formerly 54.8(d)) of the Federal regulations, interested parties may submit factual and/or legal arguments in support of or in opposition to the group's petition. Any information submitted will be made available on the same basis as other information in the BIA's files. Such submissions will be provided to the petitioner upon receipt by the BIA. The petitioner will be provided an opportunity to respond to such submissions prior to a final determination regarding the petitioner's status.

The petition may be examined, by appointment, in the Department of the Interior, Bureau of Indian Affairs, Branch of Acknowledgment and Research, Room 1362–MIB, 1849 C Street, N.W., Washington, D.C. 20240, Phone: (202) 208–3592.

Dated: February 29, 1996.

Ada E. Deer,

Assistant Secretary—Indian Affairs.

[FR Doc. 96–10680 Filed 4–30–96; 8:45 am]

BILLING CODE 4310–02–P

Receipt of Petition for Federal Acknowledgment of Existence as an Indian Tribe

This is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(a) (formerly 25 CFR 54.8(a)) notice is hereby given that the Apalachee Indians of Louisiana, 259 Libuse Cutoff Road, Pineville, Louisiana 71360, has filed a petition for acknowledgment by the Secretary of the Interior that the group exists as an Indian tribe. The petition was received by the Bureau of Indian Affairs (BIA) on February 5, 1996, and was signed by members of the group's governing body.

This is a notice of receipt of petition and does not constitute notice that the petition is under active consideration. Notice of active consideration will be sent by mail to the petitioner and other interested parties at the appropriate time.

Under Section 83.9(a) (formerly 54.8(d)) of the Federal regulations, interested parties may submit factual and/or legal arguments in support of or in opposition to the group's petition. Any information submitted will be made available on the same basis as other information in the BIA's files. Such submissions will be provided to the petitioner upon receipt by the BIA. The petitioner will be provided an opportunity to respond to such submissions prior to a final determination regarding the petitioner's status.

The petition may be examined, by appointment, in the Department of the Interior, Bureau of Indian Affairs, Branch of Acknowledgment and Research, Room 1362–MIB, 1849 C Street, N.W., Washington, D.C. 20240, Phone: (202) 208–3592.