

measures for habitat loss. The anticipated Plan would eliminate the need for project surveys and mitigation negotiations, and would be limited to payment of a fee (or in-lieu land dedications, if preferred) and implementation of incidental take avoidance measures.

The anticipated Plan would be completed by the San Joaquin Council of Governments (Council of Governments) through a planning process pursuant to a Memorandum of Understanding adopted by the Service, San Joaquin Council of Governments, San Joaquin County, the California Department of Fish and Game, Caltrans, and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy.

Only those agencies adopting the Plan would be covered by it. Agencies indicating interest in adopting the anticipated Plan are: the San Joaquin Council of Governments; San Joaquin County; Caltrans; Federal Highway Administration; San Joaquin Area Flood Control Agency; Stockton East Water District; Reclamation Districts, some local School Districts; East Bay Municipal Utilities District; and the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy. To receive coverage under the Plan, incidental take authorizations would be required by each of these entities from the Service and California Department of Fish and Game.

The Plan would be voluntary for individual project proponents. This means that if the anticipated Plan is prepared and approved and its associated incidental take permit issued, individuals would have the option of either participating in the Plan or negotiating directly with the State and Federal permitting agencies. Specifically, for local jurisdictions adopting the Plan, the following alternatives would be available to individuals undertaking activities covered by the Plan within that jurisdiction unless exempted by the Plan: (1) Pay the appropriate fee; (2) dedicate, as conservation easements or fee title, habitat lands; or (3) perform/undertake alternative mitigation as approved by the permittee. Such alternative mitigation would be equivalent to, or otherwise consistent with, the purposes of the anticipated Plan.

Alternatives

To date, the following alternatives have been considered during the planning process:

Full Plan Alternative/Proposed Project: The anticipated Plan would include coverage for approximately 100

special status species and 52 vegetative communities occurring in the County, including wetlands, specifically vernal pools.

No Plan Alternative: This alternative would maintain the current process of negotiating mitigation and obtaining incidental take permits for impacts to wildlife habitat on a project-by-project basis.

Moderate Plan Alternative A: This alternative would exclude species not currently listed under the State and Federal Endangered Species Acts (i.e., non-listed species of special concern) and would exclude wetland mitigation under the anticipated Plan.

Moderate Plan Alternative B: This alternative would address Plan funding if some jurisdictions do not participate in the Plan and if a five-acre exemption is adopted during reauthorization of the Federal Endangered Species Act.

Economic Alternatives: This alternative would involve a single fee versus the tiered fee provided for in the Proposed Project.

Mitigation Alternatives: This would involve a one-half to one compensation level with increased preserve enhancements for agricultural habitat lands versus the one-to-one compensation with lesser preserve enhancements provided for in the Proposed Project.

The comment period will provide an opportunity to address the potential effects of these alternatives and to propose others. Interested persons are encouraged to comment on the issues and alternatives to be addressed in the joint Statement/Report.

Environmental review of the joint Statement/Report will be in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), National Environmental Policy Act regulations (40 CFR parts 1500-1508), other appropriate regulations, and Service procedures for compliance with those regulations. The notice is being furnished in accordance with section 1501.7 of the National Environmental Policy Act to obtain suggestions and information from other agencies and the public on the scope of issues to be addressed in the joint Statement/Report.

Dated: March 7, 1997.

Thomas J. Dwyer,
Regional Director, Region 1,
Portland, Oregon.

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Bureau of Land Management

[MT-962-1430-00-CCAM]

Notice of Availability for the Proposed Cooke City Area Mineral Withdrawal Draft Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: This notice of availability is issued by the Bureau of Land Management, Interior, with the Forest Service, Agriculture, as the joint lead agency. The draft Environmental Impact Statement (EIS) documents the effects of withdrawing from federal mineral location and entry up to 22,000 acres of federal mineral estate near Cooke City, Montana. The proposed mineral withdrawal would also apply to hardrock minerals acquired by the United States and managed as leasable minerals. The proposed mineral withdrawal would be subject to review after 20 years.

FOR FURTHER INFORMATION CONTACT: John Thompson, BLM Co-Lead, or Larry Timchak, FS Co-Lead, CCAM, P.O. Box 36800, Billings, MT 59107-6800. Phone (406) 255-0322.

SUPPLEMENTARY INFORMATION: This EIS analyzes the environmental consequences of two alternatives. The proposed withdrawal of federal locatable minerals would not allow new mining claims to be filed on federal lands. Unpatented mining claims with valid existing rights and private lands would not be affected. The no action alternative (No Mineral Withdrawal) provides a baseline for comparison. This alternative would continue the management that existed prior to September 1, 1995.

DATES: Public informational meetings (open houses) will be held April 1, 1997, in Cooke City, Montana, at the Fire Hall; April 3, 1997, in Livingston, Montana, at the Best Western Yellowstone Inn; April 9, 1997, in Cody, Wyoming, at the Cody Club Room; and April 10, 1997, in Red Lodge, Montana, at the LuPine Inn. Officials from the BLM and FS will be present at these open houses from 4:00 p.m. until 8:00 p.m. each day.

Dated: February 27, 1997.

Daniel T. Mates,
Acting Deputy State Director, Division of Resources.

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