Court of Federal Claims Number 97–0102V
18. Juanita Chavez on behalf of Jerika Chavez, Mountainair, New Mexico, Court of Federal Claims Number 97–0103 V
19. Debra Brooks on behalf of Matthew Brooks, Kansas City, Missouri, Court of Federal Claims Number 97–0104 V
20. Norman Blackaby, Fort Worth, Texas, Court of Federal Claims Number 97–0105 V
21. Katherine Ferrara, Neptune, New Jersey, Court of Federal Claims Number 97–0111 V
22. Kathleen Dunkelberger-Diehl and Bret Diehl on behalf of Bret A. Diehl, Fort Meyers, Florida, Court of Federal Claims Number 97–0114 V
23. Adriana Nuno on behalf of Emilio Nuno, Santa Barbara, California, Court of Federal Claims Number 97–0123 V
24. Elizabeth Corder on behalf of Dillon N. Corder, San Clemente, California, Court of Federal Claims Number 97–0125 V
25. Melissa Leblue on behalf of Paul J. Staley, Jr., Mamou, Louisiana, Court of Federal Claims Number 97–0128 V
26. Annette and Derwin Hastings on behalf of Kyle Hastings, Williston, North Dakota, Court of Federal Claims Number 97–0144 V
27. Susan Gorksi, Richland, Washington, Court of Federal Claims Number 97–0156 V
28. Candace Neep on behalf of Dakota Amber Neep, Roseville, California, Court of Federal Claims Number 97–0162 V
29. Anna and Charles Calabrese on behalf of Charles J. Calabrese, El Paso, Texas, Court of Federal Claims Number 97–0174 V
30. Amparo and Harry Perales on behalf of Javier Daniel Perales, Heidelberg, Germany, Court of Federal Claims Number 97–0175 V
31. Christy and Richard Berry on behalf of Adam Neal Berry, San Antonio, Texas, Court of Federal Claims Number 97–0180 V

Dated: June 12, 1997.

Claude Earl Fox,

Acting Administrator.

[FR Doc. 97–15994 Filed 6–17–97; 8:45 am]

BILLING CODE 4160–15–U

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of a Revised Environmental Assessment and Habitat Conservation Plan for the Natomas Basin area, Sacramento and Sutter Counties, CA

AGENCY: Fish and Wildlife Service.

ACTION: Notice of availability.

SUMMARY: On January 15, 1997, the Fish and Wildlife Service published a notice of availability of an environmental assessment and receipt of an application for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended, submitted by the City of Sacramento, California, for the Natomas Basin Habitat Conservation Plan (Plan). The application has been assigned permit number PRT–823773. The proposed permit would authorize the incidental take of the federally threatened giant garter snake (*Thamnophis gigas*), Aleutian Canada goose (*Branta canadensis leucopareia*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), and vernal pool fairy shrimp (Branchinecta lynchi); and the federally endangered peregrine falcon (*Falco peregrinus anatum*), conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), and vernal pool tadpole shrimp (*Lepidurus packardi*). The HCP also addresses the following federally listed plant species: slender orcutt grass (*Orcuttia tenuis*), hairy orcutt grass (*Orcuttia pilosa*), Sacramento orcutt grass (*Orcuttia viscida*), and palmate bird's beak (*Cordylanthus palmatus*). The proposed taking of these species would be incidental to development for urban uses within the 53,341-acre Natomas Basin in the City of Sacramento and Sacramento and Sutter Counties. The proposed permit also would authorize future incidental take of the currently unlisted California tiger salamander (*Ambystoma tigrinum californiense*), Swainson's hawk (*Buteo swainsoni*), greater sandhill crane (*Grus canadensis tubida*), bank swallow (*Riparia riparia*), Boggs Lake hedge-hyssop (*Gratiaola heterosepala*) and Ahart's dwarf flax (*Juncus leiospermus* var. *ahartii*), among others, should any of these species become listed under the Endangered Species Act in the future. The permit would be in effect for 50 years.

During the 45-day public comment period for this Plan, the Service received numerous comments on the Plan with respect to the adequacy of its conservation program and other issues. The Service and the City of Sacramento, working jointly, have since revised the Natomas Basin Plan and its associated Implementing Agreement to clarify the Plan's intent and, where necessary, to strengthen its conservation program. This notice announces the availability of the revised Plan and Implementing Agreement for public comment. The Service also announces the availability of a revised Environmental Assessment for the Natomas Basin Plan incidental take permit application. This notice is provided pursuant to section 10(c) of the Endangered Species 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.

Comments are specifically requested on the appropriateness of the assurances that would be provided under the Department of Interior's No Surprises policy should the permit be issued, as specifically outlined in sections 6.9.2–6.9.4 of the Implementing Agreement.

DATES: Written comments on the Habitat Conservation Plan, Environmental Assessment and Implementing Agreement should be received on or before July 9, 1997.

ADDRESSES: Comments regarding the application or adequacy of the Environmental Assessment and Habitat Conservation Plan should be addressed to the Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 3310 El Camino, Suite 130, Sacramento, California 95821–6340. Please refer to permit number PRT–823773 when submitting comments. Individuals wishing copies of the application, Environmental Assessment or Implementing Agreement for review should immediately contact the above office. Documents also will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Cay Goude or Mr. William Lehman, Sacramento Fish and Wildlife Office, telephone (916) 979–2725.

SUPPLEMENTARY INFORMATION: Section 9 of the Endangered Species Act and Federal regulation prohibit the ''taking'' of a species listed as endangered or threatened, respectively. However, the Fish and Wildlife 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.

Background

The Natomas Basin Habitat Conservation Plan addresses development within the 53,341-acre Natomas Basin in Sutter and Sacramento Counties, California. The Natomas Basin is subject to several

approved or proposed land use plans that will convert portions of the Basin to urban uses. Based on these plans, approximately 17,500 acres of undeveloped land is expected to be urbanized during the 50-year term of the proposed permit. Development activities may result in take of covered species and permanent disturbance to their habitats. In addition, the proposed permit would cover incidental take that occurs during rice farming activities within the permit area. Rice farming may result in take of the giant garter snake because rice fields are used as habitat by this species.

The Natomas Basin Plan establishes a mitigation program for urban development and water system operation. The focus of the program is a system of mitigation lands which would be managed as wetland and upland habitat for the giant garter snake, the Swainson's hawk and other covered species. One-half acre of mitigation land would be established for every acre of land developed within the Natomas Basin Plan area. The mitigation land would be acquired and managed by the Natomas Basin Conservancy, a non-profit conservation organization established to implement the Plan. Currently, the City of Sacramento is the only entity seeking a section 10(a)(1)(B) permit to cover land use approvals and public works activities; however, additional entities such as the County of Sacramento and the County of Sutter, among others, could apply to be added to this permit or apply for separate permits in the future.

Most of the comments received on the Natomas Basin Plan during the public comment period centered on several issues or interpretations of the Plan: (1) Concern that a mitigation fee cap in the City of Sacramento's Plan Implementing Agreement could result in a funding inadequacy over the life of the permit; (2) concern that the effectiveness of certain mitigation strategies (e.g., use of managed marsh as mitigation sites) are unproven and might not result in the intended conservation benefits for affected listed species, especially the giant garter snake; (3) concern that certain aspects of the Plan (e.g., reserve management plans) would be prepared with inadequate opportunity for review by the interested public; and (4) the lack of an adequate monitoring program. The Service and the City of Sacramento, working jointly, have revised the Natomas Basin Plan to clarify its intent and, where necessary, to strengthen its conservation program. The following is a summary of those revisions.

Covered Species

The list of species that are specifically addressed under the Natomas Basin Plan and would be ''covered'' under the Section 10(a)(1)(B) permit has been clarified. ''Covered species'' means those species for which legal authority to take such species would be conferred by the permit. The Plan includes 33 covered species that are either federally or state listed, as well as some species that are not currently listed but may be in the future. The latter are addressed in the Plan and would be covered by the permit at such time as they may be listed.

Unlisted Covered Species

Descriptions of expected program impacts on many currently unlisted species covered by the Natomas Basin Plan and conservation measures for these species have been expanded and clarified in the Plan.

Mitigation Fee Caps

The section in the City of Sacramento's draft Implementing Agreement for the Plan that established a cap on the mitigation fee with respect to the overall mitigation program has been removed. There is still a fee cap with respect to any revisions resulting from the Service's future Giant Garter Snake Recovery Plan or the Plan's Adaptive Management program. Based on this cap, the mitigation fee can rise no more than 50 percent over the life of the permit. However, there is no fee cap with respect to the fundamental requirement to mitigate for habitat losses at a 0.5:1 ratio. In other words, the fee must be raised as necessary to maintain habitat acquisitions at the half-to-one ratio, irrespective of any other fee cap agreements in the HCP.

Program Monitoring

Biological monitoring under the HCP has been clarified. With respect to the giant garter snake, the Plan as before describes several potential monitoring methods (e.g., mark-release-recapture studies, population viability indices, and transect surveys) as well as the type of life history parameters that need to be monitored. Furthermore, the HCP now requires appropriate monitoring but leaves specific methods to the Natomas Basin Conservancy and its Technical Advisory Committee (TAC) to determine. This is allowed because many technical issues of the monitoring program need to be worked out and determined based on best available information and ongoing research on the giant garter snake. In addition, the HCP includes nest site surveys for the Swainson's hawk and other monitoring requirements.

Adaptive Management Program

The HCP now has a much expanded Adaptive Management program as well as explicit directions for implementing its Adaptive Management provisions. Three aspects of the HCP could result in Adaptive Management modifications being adopted over the life of the permit: (1) New information resulting from ongoing research on the giant garter snake or other covered species; (2) recovery strategies under the future Service Giant Garter Snake Recovery Plan that could differ from the measures described in the current HCP; and (3) the fact that some currently described mitigation measures (e.g., the proportion of rice fields to managed marsh and marsh designs) may need to be revised based on the Plan's monitoring program. Modifications to the HCP will be classified as ''major revisions'' or ''minor revisions'' based on descriptions in the Plan. Major revisions would require submission of a proposal to the Service and California Department of Fish and Game (CDFG) and approval by these agencies. Minor revisions could be implemented upon the decision of the Natomas Basin Conservancy, provided that the Conservany's TAC concurs. The Service and CDFG would have representatives on the TAC.

9,000-Acre Comprehensive Program Review

In recognition that certain uncertainties exist in the Natomas Basin HCP (including the precise levels of development that would occur under the Plan, and the precise extent and location of the reserve system), the Plan now has a provision requiring a comprehensive program review when and if urban development in the Natomas Basin reaches 9,000 acres. Under this provision, the review will be triggered at 9,000 acres; during the period of time the review is being conducted, up to, but not more than, an additional 3,000 acres may be developed in the Basin. The purpose of the review will be to determine whether the HCP is performing as expected. The review will consider such aspects as status and trends of the covered species, status and effectiveness of the reserve system, and status and effectiveness of the Plan's funding mechanisms. The review will be conducted by the Natomas Basin Conservancy, the Service, and CDFG. It will result in recommendations for program modifications under the Adaptive Management provisions or a permit amendment, as deemed necessary.

Natomas Basin Conservancy Activities Open to Public Review

All pertinent proceedings of the Natomas Basin Conservancy will be open to public review. This includes such activities as meetings, selection of lands for acquisition for the reserve system, and development of management and monitoring plans for reserve lands. There are likely to be certain exceptions to these provisions because of confidentiality issues in dealing with private landowners and other exceptions as provided by State or Federal law, but it is the intention of the HCP and the Conservancy to allow public scrutiny of its activities and decisions to the maximum extent practicable.

The Environmental Assessment for the Natomas Basin HCP considers the environmental consequences of four alternatives. Alternative 1, the proposed action, consists of the issuance of an incidental take permit to the City of Sacramento and implementation of the HCP and its Implementing Agreement. This alternative is preferred because it satisfies the purpose and needs of the U.S. Fish and Wildlife Service and the City of Sacramento, and the impacts of urbanization are minimized and mitigated by the establishment of habitat reserves. Alternative 2 proposes a variable mitigation ratio in which landowners with documented occurrences of covered species or ''high quality'' habitat would be required to compensate at a higher ratio than landowners with no documented occurrences of covered species or ''poor quality'' habitat. Alternative 3 is similar to the proposed action except that the minimum percentage of mitigation lands to be maintained as managed marsh habitat (as opposed to rice farm habitat) would increase from 25 to 50 percent. Under Alternative 4, the no action alternative, the Service would not issue an incidental take permit and development within the Natomas Basin would occur with individual development projects mitigating for their impacts independently in an unstructured manner.

This notice is provided pursuant to section 10(c) of the Endangered Species Act and the National Environmental Policy Act of 1969 regulations (40 CFR 1506.6). The U.S. Fish and Wildlife Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the National Environmental Policy Act regulations and section 10(a) of the Endangered Species 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: June 12, 1997.

Don Weathers,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97–15920 Filed 6–17–97; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Geological Survey

Notice To Accept Contribution From Private Sources

AGENCY: United States Geological Survey, Interior.

SUMMARY: The United States Geological Survey is accepting a $5000 contribution from the National Stone Association toward student support and project expenses related to studies of aggregate resources and urban growth issues in the Baltimore-Washington, D.C. area.

INQUIRES: If any other parties are interested in making contributions for the same or similar purposes, please contact Mr. Gilpin R. Robinson, Jr. of the U.S. Geological Survey, Eastern Mineral Resources Team, Mail Stop 954, Reston, Virginia 20192; telephone (703) 648–6113; e-mail grobinso@usgs. gov.

SUPPLEMENTARY INFORMATION: This notice is to meet the USGS requirement stipulated in the Survey Manual.

Dated: June 9, 1997.

P. Patrick Leahy,

Chief, Geologic Division.

[FR Doc. 97–15968 Filed 6–17–97; 8:45 am]

BILLING CODE 4310–31–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Land Acquisitions

ACTION: Re-proposed Information Collection; comment request.

SUMMARY: The Bureau of Indian Affairs, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposal for renewal of the collection of information, as required under the provisions of the Paperwork Reduction Act of May 22, 1995, Public Law 104–13 (44 U.S.C. Chapter 35) and OMB regulations at 5 CFR 1320.8(d)(1).

DATES: Written comments must be submitted on or before August 18, 1997.

ADDRESSES: Written comments and suggestions on the renewal should be made directly to the bureau clearance officer, Bureau of Indian Affairs, Office of Management and Administration, 1849 C Street, NW., MS–4657-MIB, Washington, DC 20240 and to the Office of Management and Budget, Paperwork Reduction Project (076–0100), Washington, DC, 20503, telephone (202) 395-7340.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Larry E. Scrivner, Chief, Division of Real Estate Services, Office of Trust Responsibilities, Bureau of Indian Affairs, 1849 C Street, NW., MS-4510-MIB, Washington, DC 20240, telephone (202) 208–7737.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Secretary of the Interior has statutory authority to acquire lands in trust status for individual Indians and federally recognized Indian tribes. The Secretary requests written information in order to make a determination. The information is not in any special form but it must identify the party(ies) involved and describe the land in question. Respondents are Native American tribes or individuals who request the acquisition of real property for trust status. The Secretary also requests additional information necessary to satisfy those pertinent factors listed in 25 CFR 151.10 or 151.11.

II. Method of Collection

No specific form is used, but respondents supply information and data so that the Secretary may make an evaluation and determination in accordance with established Federal factors, rules and policies.

III. Data

OMB approval number: 1076–0100.

Agency Form Number: N/A.

Type of Review: Renewal of a currently approved collection.

Affected Public: State or local governments, individual Indians or tribes.

Estimated Number of Responses: Approximately 9,200 per annum nationwide.

Estimated Time Per Response: 4 hours.

Estimated Total Annual Burden hours: 36,800.

Estimated Total Annual Cost: $736,000.

Description of respondents: Native American tribes and individuals