the Service faced the considerable task of allocating the available resources to the significant backlog of listing activities. The Service published Final Listing Priority Guidance for FY 1997 on December 5, 1996 (61 FR 64475). The Listing Priority Guidance system employed 4 tiers for assigning relative priorities to listing actions to be carried out under section 4 of the Act. Tier 1, the processing of emergency listings for species facing a significant risk to their well-being, remains the Service's highest priority. The processing of final decisions on pending proposed listings is assigned to Tier 2. Tier 3 includes resolving the conservation status of species identified as candidates and processing 90-day or 12-month administrative findings on petitions to list or reclassify species from threatened to endangered status. Preparation of proposed or final critical habitat designations, and processing of reclassifications, which provide little or no additional conservation benefit to listed species, are assigned lowest priority (Tier 4).

While operating the listing program under the Final FY 1997 Listing Priority Guidance, the Service focused its resources on issuing final determinations (Tier 2 listing activities). After April 1, 1997, the Service began implementing a more balanced listing program and began processing more Tier 3 listing actions. The continuing (though reduced) backlog and funding limitations underscore the need to maintain program-wide biologically sound priorities to guide the allocation of limited resources.

Extension of Listing Priority Guidance for Fiscal Year 1997

The Department of the Interior has not yet received a FY 1998 appropriation. Under the current continuing resolution, the Service continues to operate at FY 1997 funding levels. Until the FY 1998 appropriation is enacted, the funding level for the endangered species listing activity remains unknown, and issuance of FY 1998 listing priority guidance remains premature. Therefore, until the Department of the Interior's 1998 appropriation becomes law and final Listing Priority Guidance for FY 1998 is published in the **Federal Register**, the Service will continue to follow the FY 1997 guidance, issued on December 5, 1996. The Service will announce new proposed guidance as promptly as possible after the FY 1998 appropriations bill for the Department of the Interior is approved and becomes law.

Authority

The authority for this notice is the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 *et seq.*

Dated: October 17, 1997.

Jamie Rappaport Clark,

Director, U.S. Fish and Wildlife Service.

[FR Doc. 97–28171 Filed 10–20–97; 3:26 pm]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Preparation of an Environmental Impact Statement in Anticipation of Receiving a Permit Application to Incidentally Take Threatened and Endangered Species in Association With the Kern County Valley Floor Habitat Conservation Plan for Kern County, California

AGENCY: Fish and Wildlife Service; Interior.

ACTION: Notice of intent to prepare an environmental impact statement and to hold a public scoping meeting.

SUMMARY: The Fish and Wildlife Service has under consideration for approval the draft Kern County Valley Floor Habitat Conservation Plan (Plan) submitted by Kern County, California. This 30-year Plan, developed by Kern County and six other participating agencies, is expected to accompany a future application to the Service for a permit under Section 10(a) of the Endangered Species Act that would authorize incidental take of listed species. In addition, it is expected the applicants will request implementing agreements. It is anticipated that the implementing agreements will include provisions for species that may be listed in the future. In response to the proposed Plan, the Service intends to prepare a joint Environmental Impact Statement/Environmental Impact Report pursuant to the National Environmental Policy Act and the California Environmental Quality Act. The Plan covers about 3,110 square miles of land with major uses including natural open space, oil and gas production, farming, ranching, agricultural water conveyance and storage, urban development and other activities. The Plan addresses various sensitive plant and animal species and their habitats. The Plan creates a framework for the issuance of permits and other authorizations under the Federal and California Endangered Species Acts.

This notice describes the proposed action and possible alternatives, notifies the public of a scoping meeting, invites public participation in the scoping process for preparing the joint Environmental Impact Statement/Report, solicits written comments, and identifies the Service official to whom questions and comments concerning the proposed action and the joint Environmental Impact Statement/Report may be directed.

DATES: A public scoping meeting will be held at 1:00 p.m. on November 4, 1997, at the Kern County Public Services Building, 2700 M Street, First Floor Conference Room, Bakersfield, California. Oral comments will be received during the scoping meeting. Written comments are encouraged and should be received on or before November 21, 1997, at the address below.

ADDRESSES: Information, comments, or questions related to preparation of the joint Environmental Impact Statement/Report and the National Environmental Policy Act process should be submitted to Mr. Steve Strait, Kern County Planning Department, 2700 M Street, Suite 100, Bakersfield, California 93301, telephone (805) 862–8600. Written comments also may be sent by facsimile to telephone (805) 862–8601.

FOR FURTHER INFORMATION CONTACT: Mr. Peter Cross, Sacramento Fish and Wildlife Office, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821, telephone (916) 979–2725. Documents also will be available for public inspection by appointment during normal business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) at the above noted Kern County Planning Department office.

SUPPLEMENTARY INFORMATION:

Background

The Plan area, generally described as the San Joaquin Valley floor, is bounded by Kern County and San Luis Obispo County boundaries to the west, Kings and Tulare counties to the north, and the 2,000-foot elevation contour to the east and south. The Plan generally does not address Metropolitan Bakersfield with the exception of oil and agricultural activities, or several smaller areas that are covered under separate conservation planning efforts.

The Plan addresses 32 species, including 18 animals and 14 plants identified as species of concern. Of the wildlife species, five receive particular attention due to their distribution within the Plan area. They are: the blunt-nosed leopard lizard (*Gambelia silas*), San Joaquin antelope squirrel (*Ammospermophilus nelsoni*), Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*), giant kangaroo rat

(*Dipodomys ingens*), and San Joaquin kit fox (*Vulpes macrotis mutica*); all of these, with the exception of the squirrel, are listed as endangered under the Federal Endangered Species Act. The plant species of concern are generally concentrated in a limited number of locations such as existing refuges and reserves, the southeastern portion near Wheeler Ridge, and several locations in the lower foothills in the eastern portion of the Plan area. The Plan provides long-term protection of identified species while allowing for the economic growth of the county. The Plan has seven major components: (1) Habitat zones; (2) compensation framework; (3) direct fee payment option; (4) take-avoidance measures; (5) safety nets; (6) industry/agency conservation strategies; and (7) direct negotiation option.

The Plan area is divided into three ''Habitat Zones'' with lands categorized based on habitat value with a corresponding conservation priority. The Red Zones are areas of highest quality habitat for species of concern, especially for Federal and State listed threatened and endangered wildlife species. A number of rare plant occurrences also are found in these zones. The Green Zones provide the second highest habitat quality and generally include areas around the western, southern, and eastern edges of the Plan. White Zones comprise about 55 percent of the total Plan area, including 121,219 acres of natural, less valuable habitat, and occur throughout the central and eastern portions of the Plan area. The habitat zones serve as the basis for the Compensation Framework.

The Compensation Framework encourages conservation of high-quality habitat and creates a system of conservation credits based on habitat quality. This component of the Plan is a pay-as-you-go mitigation approach. Compensation will be provided in specified ratios to address the actual take of species habitat. However, up-front compensation is specified for the oil and agricultural conservation strategies.

Direct Fee Payment is an option provided to project proponents involving payment of fee based on conservation credits.

Take-avoidance Measures are included in the Plan to reduce the likelihood and magnitude of direct loss of the five wildlife species noted above.

Safety Nets are part of the Rare Plant Conservation Strategy designed to protect specific plant species with localized and restricted distributions.

Industry/Agency Conservation Strategies address the potential for incidental take of species of concern that may occur with certain activities associated with major land uses in the Plan area (e.g., oil and gas, agriculture, water conveyance systems, ranching, and urban development).

The Direct Negotiation Option allows a project proponent to address the issue of Federal and California Endangered Species Act compliance with the Service and California Department of Fish and Game, respectively, independently of other Plan provisions.

The joint Environmental Impact Statement/Report will consider the proposed action (issuance of a Section 10(a) Endangered Species Act permit for the Plan) and a reasonable range of alternatives derived from conservation and compensation approaches considered during formulation of the Plan:

Alternative 1—No Action. This alternative assumes compliance with the Federal and California Endangered Species Acts on a project-by-project basis.

Alternative 2—Initial Compensation. This alternative would establish compensation and take-avoidance formulas applicable to all permitted activities allowed in each of the three habitat zones. Development projects in each zone would be required to provide compensation, and in some cases identify and secure options to purchase suitable habitat land for which conservation credits would be received. The supplementary credits could be banked and sold to other developers needing habitat conservation credits.

Alternative 3—Protect and Release. This alternative incorporates a release ratio limit of one acre of development for every nine acres of permanently protected land in the Red Zones only. It also requires a compensation ratio unique to each of the three zones for habitat disturbance.

Alternative 4—Habitat Transaction Method. This alternative would assign a relative conservation credit value per acre within each habitat zone. A compensation ratio of not more than 3:1, based on conservation credits, would be used to determine compensatory requirements. Credits would be generated by the permanent preservation of habitat, restoration, granting of conservation easements, and other measures. The value of the credits and the amount of required compensation would be based on the conservation value of the land preserved and developed, respectively.

Environmental review of the Plan will be conducted in accordance with the requirements of National Environmental Policy Act, 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. This 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 Environmental Impact Statement/Report.

Comments and participation in the scoping process are solicited. The primary purpose of the scoping process is to identify rather than debate any significant issues related to the proposed action. Interested persons are encouraged to attend the public scoping meeting to identify and discuss issues and alternatives that should be addressed in the joint Environmental Impact Statement/Report. The proposed agenda for this facilitated meeting includes a summary of the proposed action; status of the threats to subject species; and tentative issues, concerns, opportunities, and alternatives. Additional public meetings will be conducted on later dates to provide more opportunities to comment on the draft Environmental Impact Statement/Report.

Dated: October 15, 1997.

Don Weathers,

Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97–28085 Filed 10–22–97; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Entities Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs

AGENCY: Bureau of Indian Affairs.

ACTION: Notice.

SUMMARY: Notice is hereby given of the current list of tribal entities recognized and eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. This notice is published pursuant to Section 104 of the Act of November 2, 1994 (Pub. L. 103–454; 108 Stat. 4791, 4792).

FOR FURTHER INFORMATION CONTACT: Daisy West, Bureau of Indian Affairs, Division of Tribal Government Services, MS–4641–MIB, 1849 C Street, NW, Washington, DC 20240. Telephone number: (202) 208–2475.

SUPPLEMENTARY INFORMATION: This notice is published in exercise of authority delegated to the Assistant