

applied to the Fish and Wildlife Service for an incidental take permit pursuant to the Endangered Species Act of 1973, as amended (Act). The Service proposes to issue an incidental take permit for the federally threatened desert tortoise (*Gopherus agassizii*) at the proposed California City Prison Project site, located in Kern County, California. Corrections Corporation of America has requested that the Service include the Mojave ground squirrel (*Spermophilus mohavensis*), a species listed as threatened by the State of California, and the burrowing owl (*Athene cunicularia*), a California species of special concern, as covered species in the Habitat Conservation Plan submitted with their application. This notice announces the availability of the permit application and the Environmental Assessment for the proposed action. The permit application includes the Habitat Conservation Plan for the California City Prison Project and an Implementing Agreement. The Service specifically requests comment on the appropriateness of the "No Surprises" assurances contained in this application. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public.

DATES: Written comments on the permit application, Habitat Conservation Plan, Environmental Assessment, and Implementing Agreement should be received on or before March 30, 1998.

ADDRESSES: Comments regarding the application or adequacy of the Environmental Assessment and Implementing Agreement should be addressed to the Field Supervisor, Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. Written comments may also be sent by facsimile to (805) 644-3958. Individuals wishing copies of the documents should immediately contact the Service's Ventura Fish and Wildlife Office at the above referenced address or facsimile, or at the telephone number listed below. Documents will also be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Denise Washick, Fish and Wildlife Biologist, at the above address or call (805) 644-1766.

SUPPLEMENTARY INFORMATION: The "take" of threatened and endangered species is prohibited under Section 9 of the Act and its implementing regulations. "Take" is defined, in part, as killing, harming or harassing listed species, including significant habitat

modification that results in death of or injury to listed species. Under limited circumstances, the Service may issue permits to take listed species if such taking is incidental to otherwise lawful activities. Regulations governing permits are found at Title 50, Code of Federal Regulations, sections 17.22 and 17.32.

The Service proposes to issue a section 10(a)(1)(B) permit to the applicant for incidental take of the desert tortoise, Mojave ground squirrel, and the burrowing owl (covered species) during the construction and operation of the prison. The proposed development of the prison would result in a permanent loss of habitat for the covered species as the project site is bladed and the vegetative communities are permanently removed during the construction of the prison. The construction and operation of the prison could directly and indirectly affect the covered species.

Background Information

Corrections Corporation of America proposes the construction and operation of a new 2,304-bed medium security prison facility located on undeveloped land in the northern one-half of section 13 of Township 32 South, Range 38 East in California City, Kern County, California. The proposed prison would occupy approximately 105 acres of a 320-acre property characterized by creosote bush scrub vegetation. This site is known to support a population of the threatened desert tortoise and may support populations of Mojave ground squirrels and burrowing owls, the latter species being listed as threatened and sensitive, respectively, by the State of California.

The proposed action would authorize the incidental take of all desert tortoises on the 105-acre site in the form of harassment as a result of being moved out of harm's way. Additionally, two desert tortoises may be taken in the form of direct mortality associated with construction and operational activities and travel on the access road. Burrowing owls are unlikely to be killed or injured by the proposed action. If Mojave ground squirrels are present on the site, they would likely be killed during the initial grading of the construction areas. The proposed acquisition and management of the habitat off-site would be the primary means of compensating for the loss of habitat and direct take of the Mojave ground squirrel and burrowing owl.

The Habitat Conservation Plan proposes several measures to mitigate and minimize the effects of the prison development on the desert tortoise.

Before construction activities commence, an amount of habitat of the covered species equal to that being destroyed will be purchased and placed in management for recovery of the desert tortoise. A fence to prevent desert tortoises from entering the construction site will be constructed under the supervision of a biologist and the area enclosed by the fence will be systematically searched. All desert tortoises found will be relocated to adjacent habitat in a manner consistent with current handling procedures and guidelines. Workers at the construction site will be educated about the status of the desert tortoise and procedures to take if desert tortoises are found during work activities or while traveling on access roads. The Corrections Corporation of America or their contractor will ensure that trash is handled in a way that does not lure predators of the desert tortoise into the area or increase their presence on-site.

In compliance with the National Environmental Policy Act, the Environmental Assessment examines the environmental consequences of four alternatives. These include the proposed action, a smaller project that would impact 40 acres, an alternate site that would also require the issuance of a section 10(a)(1)(B) permit for the incidental take of the desert tortoise, and a no take alternative.

This notice is provided pursuant to section 10(a)(1)(B) of the Act and Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6). The Service will evaluate the application, its associated documents, and submitted comments to determine whether the application meets the requirements of law. If the Service determines that the requirements are met, a permit will be issued for the incidental take of the listed species. A final decision on permit issuance will be made no sooner than 30 days from the date of this notice.

Dated: February 23, 1998.

David L. McMullen,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 98-5054 Filed 2-26-98; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Letters of Authorization To Take Marine Mammals

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of Letters of Authorization to take marine mammals incidental to oil and gas industry activities.

SUMMARY: In accordance with section 101(a)(5) of the Marine Mammal Protection Act of 1972, as amended, and the U.S. Fish and Wildlife Service implementing regulations [50 CFR 18.27(f)(3)], notice is hereby given that Letters of Authorization to take polar bears incidental to oil and gas industry exploration, development, and production activities have been issued to the following companies:

Company	Activity	Location	Date issued
ARCO Alaska, Inc.	Development.	Alpine Dev Project.	Jan. 27, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. John W. Bridges at the U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503, (800) 362-5148 or (907) 786-3810.

SUPPLEMENTARY INFORMATION: Letters of Authorization were issued in accordance with U.S. Fish and Wildlife Service Federal Rules and Regulations "Marine Mammals; Incidental Take During Specified Activities" (58 FR 60402; November 16, 1993); modified and extended (60 FR 42805; August 17, 1995).

Dated: February 10, 1998.

Robyn Thorson,

Acting Regional Director.

[FR Doc. 98-4413 Filed 2-26-98; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approved Amendment to Tribal-State Compact.

SUMMARY: Pursuant to Section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved amendments to Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment V to the Gaming Compact Between the

Confederated Tribes of the Umatilla Indian Reservation and the State of Oregon, which was executed on December 22, 1997.

DATES: This action is effective February 27, 1998.

FOR FURTHER INFORMATION CONTACT: Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: February 19, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-5071 Filed 2-26-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of approval for Amendment III to Tribal-State Compact.

SUMMARY: Pursuant to 25 U.S.C. 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment III to the Tribal-State Compact For Regulation of Class III Gaming Between the Confederated Tribes of Siletz Indians Tribe and the State of Oregon, which was executed on December 30, 1997.

DATES: This action is effective February 27, 1998.

FOR FURTHER INFORMATION CONTACT: Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: February 19, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-5072 Filed 2-26-98; 8:45 am]

BILLING CODE 4310-02-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amendment to approved Tribal-State Compact.

SUMMARY: Pursuant to section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment III to the Confederated Tribes of the Warm Springs Reservation of Oregon and the State of Oregon Gaming Compact, which was executed on December 30, 1997.

DATES: This action is effective February 27, 1998.

FOR FURTHER INFORMATION CONTACT:

Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: February 19, 1998.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 98-5073 Filed 2-26-98; 8:45 am]

BILLING CODE 4310-02-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of amendment to approved Tribal-State Compact.

SUMMARY: Pursuant to Section 11 of the Indian Gaming Regulatory Act of 1988, Pub. L. 100-497, 25 U.S.C. § 2710, the Secretary of the Interior shall publish, in the **Federal Register**, notice of approved Tribal-State Compacts for the purpose of engaging in Class III (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved Amendment III to the Tribal-State Compact for Regulation of Class III Gaming between the Coquille Indian Tribe and the State of Oregon which was executed on December 30, 1997.

DATES: This action is effective February 27, 1998.

FOR FURTHER INFORMATION CONTACT:

Acting Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4068.