

cover disturbances to areas at the Office Park and Business Center subsequent to May 13, 1998, the date of the listing of the Preble's mouse as a threatened species, including disturbances that occur prior to the date of issuance of the Proposed Permit, and it would be in effect for 11 years from the date of issuance.

We announce the receipt of the applicants' incidental take permit application that includes a combined proposed Habitat Conservation Plan (HCP) and Environmental Assessment (EA) for the Preble's meadow jumping mouse for the Brookside Office Park and Brookside Business Center. The proposed HCP/EA is available for public comment. It fully describes the proposed project and the measures the applicants would undertake to minimize and mitigate project impacts to the Preble's meadow jumping mouse. **DATES:** Written comments on the permit application, Habitat Conservation Plan, and Environmental Assessment should be received on or before November 4, 1999.

**ADDRESSES:** Comments regarding the permit application and HCP/EA should be addressed to LeRoy, Carlson, Field Supervisor, U.S. Fish and Wildlife Service, Colorado Field Office, 755 Parfet Street, Suite 361, Lakewood, Colorado 80215.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathleen Linder, Fish and Wildlife Biologist, Colorado Field Office, telephone (303) 275-2370.

**SUPPLEMENTARY INFORMATION:**

**Document Availability**

Individuals wishing copies of the HCP/EA and associated documents for review should immediately contact the above office. Documents also will be available for public inspection, by appointment, during normal business hours at the Lakewood, Colorado field office (see **ADDRESSES** above).

**Background**

Section 9 of the Act and Federal regulation prohibit the "take" of a species listed as endangered or threatened. Take is defined under the Act, in part, as to kill, harm, or harass a federally listed species. However, the Service may issue permits to authorize "incidental take" of listed species under limited circumstances. Incidental Take is defined under the Act as take of a listed species that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity under limited circumstances. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32.

The Brookside Office Park and Brookside Business Center are located in portions of Sections 11, 14, 15, and 23 of Township 8 South, Range 67 West, Town of Castle Rock, Douglas County, State of Colorado. The projects will disturb a total of 7.28 acres of ground undisturbed as of the Listing Date that may result in incidental take. Completion of the Office Park project will impact 1.15 acres. The remaining 6.13 acres, yet to be disturbed, will be at the Business Center site. Both sites will impact upland areas only.

Alternatives considered in addition to the Proposed Action, were an alternate site location, alternate site design, and no action. None of these alternatives eliminated potential take of Preble's. The onsite, offsite, and cumulative impacts of the Projects and all associated development and construction activities and mitigation activities proposed by the HCP will have no significant impact on the Preble's mouse, other threatened or endangered species, vegetation, wildlife, wetlands, geology/soils, land use, water resources, air and water quality, or cultural resources. The Projects will only disturb upland areas which are less biologically productive and include less significant potential Preble's mouse habitat than the riparian and ecotone areas undisturbed by the projects and the focus of the mitigation activities. The mitigation will likely provide a net benefit to the Preble's mouse and other wildlife by benefitting the more productive riparian and ecotone areas, which have more potential as habitat, more than the negative impacts of the disturbance of the upland areas on potential habitat areas.

Only one federally listed species, the threatened Preble's meadow jumping mouse, occurs on site and has the potential to be adversely affected by the project. To mitigate impacts that may result from incidental take, the HCP provides that mitigation for the Office Park will be 0.69 acres of restoration and 5.19 acres of enhancement. Mitigation for the Business Center will be 18.39 acres of enhancement. All of the proposed mitigation area is within the boundaries of the Property, all of which is included in the drainage basin of East Plum Creek. The mitigation will focus on planting of willows and grasses in five units on the property. Russian knapweed, a noxious weed, would be removed as part of the plan.

Success of mitigation efforts will be defined as 70 percent survival and establishment of plantings, and it will be monitored annually in the summer by the Applicants for the first 5-year period and every 2 years for the

following 6 years, or until success is achieved if longer than 6 years. Success will be measured by the use of photo points analysis in each mitigation unit. The Applicants will be responsible for replanting if success is not achieved by the end of the first 5-year period. The Applicants are committed to provide the necessary funding to support the mitigation. The Applicants will place the necessary funds into an escrow or similar type account that will limit use of the funds for mitigation activities.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the Plan, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit will be issued for the incidental take of the Preble's meadow jumping mouse in conjunction with the construction and use of the Brookside Office Park and Brookside Business Center. The final permit decision will be made no sooner than November 4, 1999.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: September 22, 1999.

**Terry Terrell,**

*Deputy Regional Director, Fish and Wildlife Service, Denver, Colorado.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[UT-040-930-1210-00]

**Notice of Closure of Public Lands; Utah**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of a temporary closure to off highway vehicle use in the Spring Creek Canyon Wilderness Study Area.

**SUMMARY:** This notice closes to off highway vehicle (OHV) use approximately 4400 acres of the Spring Creek Canyon Wilderness Study Area (WSA). An area within the WSA that will remain open to vehicle use is the existing way into Kanarra Creek. Signing and a physical barrier in Spring Creek Canyon will be used as necessary to facilitate this action. The authority for this action is 43 CFR 8341.2.

**DATES:** This closure will begin immediately and remain in effect

indefinitely or until action is taken to complete a permanent closure.

**ADDRESSES:** Copies of maps are available at the Bureau of Land Management (BLM), Cedar City Field Office, 176 East DL Sargent Drive, Cedar City, Utah 84720 and BLM Utah State Office, 324 South State Street, P.O. Box 45155, Salt Lake City, Utah 84145-0155.

**FOR FURTHER INFORMATION CONTACT:** Craig Egerton, Cedar City Field Office, at (435) 586-2401.

**SUPPLEMENTARY INFORMATION:** The 4433 acre Spring Creek Canyon WSA was established in 1980.

The WSA is currently designated as open to OHV use as documented in the Off Road Vehicle Designation and Implementation Plan (OHV Plan) for Beaver River Resource Area completed in 1987. The OHV plan also prescribes that BLM monitor ongoing (OHV) activity and, if necessary, adjust the time, location, or quantity of use. The Interim Management Policy for WSA's restricts vehicle travel to existing ways present at the time of WSA designation to prevent impairment of areas with wilderness characteristics. The Spring Creek Canyon WSA has received considerable increase in OHV use, extending of OHV routes, and impairment of wilderness character since designation of this WSA. Further, a recent action of bulldozing in Spring Creek Canyon has occurred which has caused further impairment. Therefore, BLM is temporarily closing to OHV use the area as described above.

Dated: September 23, 1999.

**Craig Egerton,**

*Acting District Manager.*

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BILLING CODE 4310-DQ-M

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Announcement of Posting of Invitation for Exchange of Natural Gas From Federal Properties in the Gulf of Mexico

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of invitation for exchange of Federal royalty gas.

**SUMMARY:** The Minerals Management Service will post on MMS's Internet Home Page, and make available in hard copy, a public competitive offering of approximately 260 million cubic feet per day of natural gas, to be taken as royalty-in-kind from Federal properties in the Gulf of Mexico Region (GOMR)

under an Invitation For Exchange (IFE), Number MMS-RIK-2000-GOMR-001.

**DATES:** The IFE will be posted on MMS's Internet Home Page on or about October 8, 1999. Bids will be due to MMS, at the posted receipt location, on or about October 22, 1999. MMS will notify successful bidders on or about October 29, 1999. The Federal Government will begin actual taking of awarded royalty gas volumes for delivery to successful bidders for a 4-month period beginning on December 1, 1999. A preliminary list of properties from which MMS is considering taking royalty gas was posted September 27, 1999, on MMS's Internet Home Page.

**ADDRESSES:** The IFE will be posted on MMS's Home Page at <http://www.mms.gov> under the icon "What's New." The IFE may also be obtained by contacting Mr. Michael Del-Colle at the address in the **FURTHER INFORMATION** section. Bids should be submitted to the address provided in the IFE.

**FOR FURTHER INFORMATION CONTACT:** For additional information on MMS's RIK pilots, contact Mr. Bonn J. Macy, Minerals Management Service, 1849 C Street, N.W., MS-4230, Washington D.C. 20240; telephone number (202) 208-3827; fax (202) 208-3918; e-mail [Bonn.Macy@mms.gov](mailto:Bonn.Macy@mms.gov). For additional information concerning the IFE document, terms, and process for Federal leases, contact Mr. Michael Del-Colle, Minerals Management Service, MS-2510, 381 Elden Street, Herndon, VA 20170-4817; telephone number (703) 787-1375; fax (703) 787-1009; e-mail [Michael.Del-Colle@mms.gov](mailto:Michael.Del-Colle@mms.gov).

**SUPPLEMENTARY INFORMATION:** This offering of natural gas in the IFE begins the third of MMS's three planned RIK pilots and will involve Federal properties in the Gulf of Mexico Region (GOMR). The first Pilot involved crude oil from Federal and State of Wyoming properties in Wyoming and the second was limited to Federal properties in the 8(g) zone of the GOMR, offshore of Texas. MMS's objective in this third pilot, as in all its pilots, is to identify the circumstances in which taking oil and gas royalties as a share of production (RIK) is a viable alternative to its usual practice of collecting oil and gas royalties as a share of the value received by the lessee for sale of the production. This third pilot is expected to last 2 to 3 years.

This IFE will offer approximately 260 million cubic feet per day of natural gas from about 146 Federal properties located in the High Island, East and West Cameron, and Sabine Pass areas of the GOMR. The royalty gas flows

through about 75 facility measurement points (FMP's) on five pipeline systems.

Purchasers may bid on production from individual properties and/or on groups of properties. Under the terms of the offer, successful bidders would take the royalty gas from specified properties and locations near the lease and, in return, deliver natural gas in equivalent amounts and qualities to a specified location. Bids will be due as specified in the IFE on October 22, 1999; successful bidders will be notified on or about October 29, 1999.

The following are some of the additional details regarding the offering that will be posted in the IFE on or about October 8, 1999.

- List of specific properties;
- For each property—FMP location and identification number, average daily royalty volume, quality, current operator; and other pipeline information.
- Bid basis;
- Reporting requirements;
- Terms and conditions; and
- Contract format.

Information on the internet posting and availability of the IFE in hard copy are being made available to oil and gas trade journals as well as in this **Federal Register** notice.

Dated: September 29, 1999.

**Walter D. Cruickshank,**

*Associate Director for Policy and Management Improvement.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**ACTION:** Notice of Information Collection under Review: Application to Preserve Residence for Naturalization.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on August 17, 1999 at 64 FR 44748, allowing for a 60-day public comment period. No comments were received by the INS on this proposed information collection.

The purpose of this notice is to allow an additional 30 days for public