

TITLE II.—MORTGAGEES WITHDRAWN—Continued

Mortgagee name	City	State
UNITED SECURITY SAVINGS BANK	MARION	IA
UNITED SOUTHERN MORTGAGE CORP ROANOKE	VIRGINIA BEACH	VA
US CREDIT CORP	AURORA	CO
US MORTGAGE INC	LITTLE ROCK	AR
US NEW MEXICO FEDERAL CU	ALBUQUERQUE	NM
USB MORTGAGE COMPANY INC	SPOKANE	WA
VICTORIA STATE BANK	VICTORIA	MN
VICTORY BANK AND TRUST COMPANY	CORDOVA	TN
VIKING MORTGAGE SERVICES INC	PORT ORCHARD	WA
VILLA PARK TRUST AND SAVINGS BANK	VILLA PARK	IL
VILLAGE BANK AND TRUST CO	RIDGEFIELD	CT
VINTAGE BANK	NAPA	CA
W LYMAN CASE AND CO	COLUMBUS	OH
WEALTHWISE INVESTMENT CORP	MILPITAS	CA
WEST ALLIS SAVINGS BANK SA	WEST ALLIS	WI
WESTERN CAPITAL FUNDING INC	WILDOMAR	CA
WESTERN MORTGAGE EXPRESS	EL CENTRO	CA
WESTMONT MORTGAGE SERVICES INC	DENVER	CO
WHITE OAK MORTGAGE	TEXARKANA	TX
WILSHIRE FUNDING CORPORATION	PORTLAND	OR

Dated: January 4, 2000.

William C. Apgar,

*Assistant Secretary for Housing-Federal
Housing Commissioner, Chairman, Mortgagee
Review Board.*

[FR Doc. 00-2893 Filed 2-10-00; 8:45 am]

BILLING CODE 4210-27-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Announcement of Proposed Change to All Endangered Species Act Section 10(a)(1)(A) Permits Issued for the Quino Checkerspot Butterfly (*Euphydryas editha quino*)

AGENCY: Fish and Wildlife Service,
Interior.

SUMMARY: The Fish and Wildlife Service (Service) proposes to modify all scientific research permits issued pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act) for the Quino checkerspot butterfly to authorize the following activities: survey by pursuit; capture; handle; release; and with prior approval from the Service, purposefully kill for the collection of voucher specimens.

DATES: Written comments on this proposed action must be received on or before March 13, 2000.

ADDRESSES: Written data or comments should be submitted to the Chief Endangered Species, Ecological Services, Fish and Wildlife Service, 911 NE, 11th Avenue, Portland, Oregon 97232-4181; Fax: (503) 231-6243. All comments received, including names and addresses, will become part of the

official administrative record and may be made available to the public.

FOR FURTHER INFORMATION CONTACT:

Jennifer O'Brion, Ecological Services,
Fish and Wildlife Service, 911 NE, 11th
Avenue, Portland, Oregon 97232-4181;
Fax: (503) 231-6243.

SUPPLEMENTARY INFORMATION:

Background

Currently all permits issued pursuant to section 10(a)(1)(A) of the Act to conduct presence or absence surveys for the Quino checkerspot butterfly only authorize permittees to pursue the butterfly when conducting surveys, and no capture or handling of individuals is allowed. The Service would like to amend permits to authorize permittees to capture and handle individuals in order to confirm identification and either release individuals at the capture site or potentially kill them for voucher specimens with prior approval from the Service. This amendment will ensure that any changes made to the management of the Quino checkerspot butterfly are based on confirmed new locations.

Dated: February 4, 2000.

Cynthia U. Barry,

Regional Director, Region 1, Portland, Oregon.
[FR Doc. 00-3065 Filed 2-10-00; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Prepare an Environmental Impact Statement for Issuance of a Permit To Incidentally Take Threatened and Endangered Species in Association With a Habitat Conservation Plan for the Metro Air Park Project in the Natomas Basin, Sacramento County, CA

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice of intent.

SUMMARY: We, the Fish and Wildlife Service (Service), are considering approval of a Habitat Conservation Plan (Plan) and issuance of an Endangered Species Act Incidental Take Permit under section 10(a)(1)(B) of the Endangered Species Act to the Metro Air Park Property Owners Association (Association), a non-profit mutual benefit corporation representing 138 individual property owners. The permit would authorize incidental take of listed species and unlisted species that may be listed in the future. Incidental taking of listed species could occur as a result of development of the Metro Air Park industrial park project and from rice farming activities.

Pursuant to the National Environmental Policy Act, the Service intends to prepare an Environmental Impact Statement addressing our proposed action of approving the Plan and issuance of an incidental take permit. The Plan covers an area of 1,892 acres within the Metro Air Park Planning Area in the Natomas Basin, Sacramento County, California. The

Plan addresses the federally threatened giant garter snake (*Thamnophis gigas*), Aleutian Canada goose (*Branta canadensis leucopareia*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), and 10 currently unlisted species and their habitats. The Plan creates a process for the issuance of permits under the Federal Endangered Species Act, and the California Endangered Species Act.

This notice describes the proposed action and possible alternatives, invites public participation in the scoping process for preparing the Environmental Impact Statement, solicits written comments, and identifies the Service's official to whom questions and comments concerning the proposed action and the Environmental Impact Statement may be directed.

DATES: Written comments are encouraged and should be received on or before March 13, 2000.

ADDRESSES: Information, comments, or questions related to preparation of the Environmental Impact Statement and the National Environmental Policy Act process should be submitted to Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, W-2605, Sacramento, California 95825. Written comments may also be sent by facsimile to telephone (916) 414-6711.

FOR FURTHER INFORMATION CONTACT: Lori Rinek, Fish and Wildlife Biologist, or Vicki Campbell, Division Chief, at the Sacramento Fish and Wildlife Office, telephone (916) 414-6600. Persons wishing to obtain background material should contact Victoria Harris, Thomas Reid and Associates, 560 Waverley Street, Suite 201, P.O. Box 880, Palo Alto, California 94301, telephone (650) 327-0429.

SUPPLEMENTARY INFORMATION

Availability of Documents

Documents will also be available for public inspection by appointment during normal business hours (7:30 a.m. to 4:30 p.m., Monday through Friday) at the Sacramento Fish and Wildlife Office address provided above.

Background

Listed wildlife species are protected against "take" pursuant to section 9 of the Act. That is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). The Service, however, may issue permits to take listed animal species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations

governing permits for endangered species are at 50 CFR 17.22 and 17.32.

In accordance with the requirements for obtaining an incidental take permit, the Association has developed a Plan. The goals of the Plan are to conserve listed and unlisted species and their habitat while accommodating otherwise lawful land uses.

The Plan study area comprises 1,892 acres within the Natomas Basin in Sacramento County, California. Agriculture is the dominant land use in the Natomas Basin and on the Metro Air Park site. The predominant crops are rice, corn, sugar beets, grain, tomatoes, and pasture. Natural and uncultivated vegetation types are interspersed throughout the agricultural areas of the Natomas Basin. Natural areas are found primarily along irrigation canals, drainage ditches, pasture, and uncultivated fields. The borders of drainage canals are often associated with narrow strips of emergent vegetation and/or wooded riparian areas.

Portions of the Natomas Basin that are within the jurisdiction of the City of Sacramento are included in the Natomas Basin Habitat Conservation Plan which was completed by the City of Sacramento in November, 1997. The Metro Air Park project is described in the Natomas Basin Habitat Conservation Plan, but because the Metro Air Park project is outside the City limits, the project cannot be covered by the City's incidental take permit. Therefore, the Association is seeking a separate incidental take permit for the Metro Air Park project. Take could occur as a result of urban development of the Metro Air Park industrial park project and from rice farming activities.

Under the Plan, the Association proposes to minimize and mitigate the effects of urban development by participating in the basin-wide conservation program set up for the entire Natomas Basin which is described in the Natomas Basin Habitat Conservation Plan. The focus of this basin-wide conservation program is on the preservation and enhancement of ecological communities that support species associated with wetland and upland habitats. Through the payment of development fees, one-half acre of mitigation land would be established for every acre of land developed within the Plan area. The mitigation land would be acquired and managed by the Natomas Basin Conservancy, a non-profit conservation organization established to implement the Natomas Basin Habitat Conservation Plan. Mitigation fee amounts and the mitigation strategy for the Plan would be subject to the same

adjustments required under the Natomas Basin Habitat Conservation Plan. The Plan also includes take avoidance and minimization measures that include the requirement for landowners to conduct pre-construction species surveys and to carry out minimization measures prior to site development.

Although the consultant for the applicant, Thomas Reid and Associates, will prepare the draft Environmental Impact Statement, the Service will be responsible for its content and scope.

The Environmental Impact Statement will consider the proposed action (issuance of a section 10(a)(1)(B) Endangered Species Act permit to the Association) and a reasonable range of alternatives. Potential alternatives may include different entities as the permittee (e.g., the County or individual land owners), and a No Action alternative. If the County were the permittee, then the Association and landowners would delay development of the Metro Air Park project until the County obtained a section 10(a)(1)(B) permit for areas under its jurisdiction in the Natomas Basin. If each individual land owner were the permittee then separate incidental take permits would need to be processed. The No Action alternative would involve the Service not issuing a section 10(a)(1)(B) permit.

Environmental review of the Plan will be conducted in accordance with the requirements of the 1969 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 Environmental Impact Statement.

Comments and participation in the scoping process are solicited. The Natomas Basin Habitat Conservation Plan, upon which the Metro Air Park project is based, was subject to extensive public review through the City of Sacramento's California Environmental Quality Act process (Initial Study and Negative Declaration, 6/97), and the Federal review process (National Environmental Policy Act Environmental Assessment, December 1997). All of the issues associated with this project have been thoroughly addressed under the California Environmental Quality Act compliance process. The Service's Environmental

Impact Statement will be examining the same issues that have been dealt with under the California Environmental Quality Act as well as any others that may arise.

The primary purpose of the scoping process is to identify rather than to debate the significant issues related to the proposed action. Interested persons are encouraged to provide comments on the scope of issues and alternatives addressed in the draft Environmental Impact Statement.

Dated: February 7, 2000.

Elizabeth H. Stevens,

*Deputy Manager, California/Nevada
Operations Office.*

[FR Doc. 00-3181 Filed 2-10-00; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Changes in the Internal Processing of Federal Acknowledgment Petitions

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Assistant Secretary—Indian Affairs (AS-IA) is changing certain internal procedures for processing petitions for federal acknowledgment as an Indian tribe, and clarifying other procedures. These revised procedures do not change the acknowledgment regulations, 25 CFR Part 83.

DATES: These changes are effective as of February 11, 2000. They are to apply to all future proposed findings, except for Little Shell of Montana petitioner, and to all future final determinations, except for the Cowlitz petitioner, where technical reports have been prepared already.

FOR FURTHER INFORMATION CONTACT: Acting Director, Duane Birdbear, Office of Tribal Services, Bureau of Indian Affairs, 1849 C Street, N.W., Washington, D.C. 20240, Attention: Branch of Acknowledgment and Research, MailStop 4660-MIB. (202) 208-3463.

SUPPLEMENTARY INFORMATION:

Introduction

This notice is published in the exercise of authority under 5 U.S.C. 552(a); 5 U.S.C. 301; 25 U.S.C. 2 and 9; 43 U.S.C. 1457; and under the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 Departmental Manual 8.

To reduce the current delays in reviewing petitions for acknowledgment, the AS-IA is changing certain internal procedures for processing acknowledgment petitions, and clarifying other procedures. The current acknowledgment process has a substantial backlog resulting in delays of several years before review is begun of a petition that is ready for active consideration and before there is a final resolution of a petition on its merits. It is essential to change the internal processes so that acknowledgment decisions may be made in a more timely manner.

The acknowledgment process is based on the regulations in 25 CFR Part 83, first issued in 1978 and revised in 1994. No specific legislation established the acknowledgment process. An agency may change its procedures and implementation of its own regulations where these changes do not contradict or alter the regulations. These revised procedures do not change the acknowledgment regulations. Rather, these changes provide a different means of implementing the existing regulations. This **Federal Register** notice is to advise petitioners, interested parties, and the public of these changes. Petitioners and interested parties will be provided a copy of this notice of changes in procedures by first class mail.

After issuance of a proposed finding in Little Shell and a final determination in Cowlitz, the Branch of Acknowledgment and Research (BAR) will still have five active cases awaiting completion of a proposed finding. The BAR has not started the evaluation of four cases awaiting a final determination (two of which have been ready for more than two years), and three cases which are awaiting amended or second proposed findings. In addition, there are now 11 completed petitions awaiting active consideration which have not been reviewed. Six of these have been ready for review for more than three years. New letters of intent and documented petitions are continuing to be received in substantial numbers. There is no reason to believe that the number of requests for acknowledgment received by the Department will decline in the foreseeable future.

At the same time, there are other substantial demands on the time of the BIA's staff which will continue to reduce the proportion of their time available for evaluation of petitions. For example, petitioners and third parties frequently request an independent review of acknowledgment final determinations by the Interior Board of

Indian Appeals (IBIA), requiring the BIA to prepare the record and responses to issues referred by the IBIA. In addition, the BIA is currently responding to litigation in at least five lawsuits concerning acknowledgment decisions. Finally, there are substantial numbers of Freedom of Information Act (FOIA) requests which require the BIA to copy the voluminous records of current and completed cases. There is no anticipated decrease in these types of required work in the foreseeable future.

In light of the backlog and other demands on the time of the BIA staff, it is necessary to make whatever procedural changes are possible within the framework of the existing regulations in order to resolve more expeditiously pending petitions for acknowledgment.

Changes in Procedures

Under the regulations, the petitioner has the burden to present evidence that it meets the mandatory criteria. Section 83.5(c) of the acknowledgment regulations, describing the duties of the Department, states that: "the Department shall not be responsible for the actual research on the part of the petitioner."

Section 83.10(a) of the regulations provides that the AS-IA may "initiate other research for any purpose relative to analyzing the documented petition and obtaining additional information about the petitioner's status." This language makes action on the part of the AS-IA discretionary and does not mandate that any additional research be carried out. In the past, under the authority of this section, substantial additional research often has been conducted by BIA staff to supplement a petitioner's research, especially where deficiencies remained even after extensive technical assistance had been provided to the petitioner. The present demands on BIA staff time and the backlog of cases mandate that this research no longer be done.

The AS-IA is therefore directing the BIA that, in conducting its review of petitions and third party comments, it is not expected or required to locate new data in any substantial way. Staff research is to be limited to that needed to verify and evaluate the materials presented by the petitioner and submitted by third parties. The BIA's review of a petition shall be limited to evaluating the arguments presented by the petitioner and third parties and to determining whether the evidence submitted by the petitioner, or by third parties, demonstrates that the petitioner meets each of the criteria. The BIA is expected to use its expertise and