

notices of availability and opening of public comment periods for the proposed pygmy-owl landowner guidance (63 FR 43363) and survey protocol (63 FR 43362). On September 16, 1998, the Service announced the extension of the comment period from September 14, 1998, to November 14, 1998 for both the landowner guidance and protocol (63 FR 49539). Public information meetings were also held on the guidance and survey protocol on October 5, 1998, in Phoenix, Arizona; on October 6, 1998, in Tucson, Arizona; and on October 7, 1998, in Sierra Vista, Arizona. On November 20, 1998, the Service again announced the extension of the comment period for both the guidance and protocol to March 14, 1999 (63 FR 64449).

Using information gathered during the comment period and subsequently from researchers in the field, and with technical assistance of AGFD, we revised the proposed "Guidance for Private Landowners and Federal, State, and Local Agencies Concerning Take of the Endangered Cactus Ferruginous Pygmy-owl" and "Protocol for Surveying for the Endangered Cactus Ferruginous Pygmy-owl". The Service's recommended landowner guidance entitled "Recommended Guidance for Private Landowners Concerning the Cactus Ferruginous Pygmy-owl" and the AGFD-Service authored "The Cactus Ferruginous Pygmy-owl Survey Protocol", both dated January 2000, incorporate those modifications found to be appropriate, and replace the 1998 proposed landowner guidance and 1993 AGFD survey protocol. We and AGFD intend to annually review and (as appropriate) modify this survey protocol, to ensure that the best scientific information is incorporated into the prescribed methodology.

**ADDRESSES:** Copies of the revised landowner guidance and survey protocol may be obtained from the Service's Region 2 World Wide Web Home Page at: <http://ifw2es.fws.gov/Arizona/> or from the Field Supervisor, Arizona Ecological Services Field Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951.

**FOR FURTHER INFORMATION CONTACT:** Mike Wrigley at the above address (telephone 602/640-2720, facsimile 602/640-2730).

**SUPPLEMENTARY INFORMATION:**

**Background**

The cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) (pygmy-owl) was listed as an endangered species on March 10, 1997

as result of loss and degradation of habitat, overutilization for recreational purposes, inadequacy of existing regulatory mechanisms, low levels of genetic variation, possible contamination from pesticides, and potential competition from other bird species that use cavities for nesting (62 FR 10730). Historically in Arizona, pygmy-owls occupied areas of south-central Arizona from the New River, about 56 km (35 mi) north of Phoenix, west to Agua Caliente near Gila Bend and Cabeza Prieta Tanks, and east to near present day Geronimo and Fort Thomas along the Gila River. Recent records (since 1993) suggest that pygmy-owls in Arizona may only occur in Pima and Pinal counties, however, the total number and their distribution in Arizona is currently unknown because not all areas have been surveyed. Only 39 adult individuals were known to exist in the state in the spring of 1999. Most of these birds were distributed in three areas: northwest Tucson, Organ Pipe Cactus National Monument, and the Altar Valley, including Buenos Aires National Wildlife Refuge.

In Arizona, pygmy-owls rarely occur below 305 m (1,000 ft) or above 1,219 m (4,000 ft). Historically, cottonwood (*Populus fremontii*)-mesquite (*Prosopis* spp.) forest and mesquite woodland along the Gila and Salt rivers, and major tributaries were environments typically used by the owls. Pygmy-owls currently occupy paloverde (*Cercidium* spp.)-mesquite-acacia (*Acacia* spp.) xeroriparian, and saguaro (*Carnegiea gigantea*)-paloverde desertscrub areas often with ironwood (*Olneya tesota*) and/or exotic landscaping supported by irrigation. Recently, pygmy-owls have also been located in semidesert and Sonoran savanna grasslands with xeroriparian washes. Dominant tree species in riparian areas include mesquite, ash (*Fraxinus* spp.), and hackberry (*Celtis* spp.). Uplands in these areas primarily consist of grasslands with dispersed mesquite trees, and very few, isolated saguaro cacti in some areas.

**Nancy M. Kaufman,**

*Regional Director, Albuquerque, New Mexico.*  
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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[WO-350-1430-PF-01-24 1A]

**Extension of Currently Approved Information Collection; OMB Approval Number 1004-0004**

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is announcing its intention to request extension of approval for the collection of information from those persons who submit an application (Form 2520-1), to apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands in the Western United States. The BLM uses the information to determine if the applicant is eligible to make a desert-land entry under the appropriate land entry laws.

**DATES:** Comments on the proposed information collection must be received by May 19, 2000.

**ADDRESSES:** Comments may be mailed to: Regulatory Management Team (420), Bureau of Land Management, 1849 C Street NW., Room 401LS, Washington, D.C. 20240.

Comments may be sent Internet to: [WOCComment@blm.gov](mailto:WOCComment@blm.gov). Please include "Attn: 1004-0004" and your name and address in your Internet message.

Comments may be hand delivered to the Bureau of Land Management Administrative Record, Room 401 L Street NW., Washington, D.C.

Comments will be available for public review at the L Street address during regular business hours (7:45 am to 4:15 pm, Monday through Friday).

**FOR FURTHER INFORMATION CONTACT:** Alzata L. Ransom, Lands and Realty Group, at (202) 452-7772.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 CFR 1320.12(a), BLM is required to provide 60-day notice in the **Federal Register** concerning a collection of information contained in published current rules to solicit comments on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c)

ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or technological collection techniques or other forms of information technology.

The Desert Land Act of March 3, 1877 (19 Stat. 377; 43 U.S.C. 321-323), as amended by the Act of March 3, 1891 (26 Stat. 1096; 43 U.S.C. 231, 323, 325, 327-329), was passed by the Congress to encourage and promote the economic development of the arid and semiarid public lands. Through the Act, you may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands in the Western United States. The regulations in 43 CFR 2520 provide guidelines and procedures to obtain public lands under the Act. These regulations were adopted on June 13, 1970, 35 FR 9581.

You qualify to file a desert-land entry if you are a citizen of the United States; 21 years old; and a resident in the States of Arizona, California, Colorado, Idaho, Montana, New Mexico, North Dakota, South Dakota, Utah, Washington, or Wyoming (no residency is required in the State of Nevada).

You may apply for one or more tracts of public lands totaling no more than 320 acres. The lands are located in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington and Wyoming. The lands must be surveyed or unsurveyed, unappropriated, non-mineral, non-timber, and incapable of producing an agricultural crop without irrigation. The lands must be suitable for agricultural purposes and more valuable for that purpose than any other. The tracts of land must be sufficiently close to each other to be managed satisfactorily as an economic unit.

You must find lands that you feel can be economically developed and determine the legal description. You must contact the BLM State Office where the lands are located and verify the lands are available for desert-land application.

The information collected on Form No. 2520-1 is required by the regulations in 43 CFR 2720 to process requests for public lands under the provisions of the Desert Land Act. If you desire to enter the public lands under the desert-land laws, you must file an application with the BLM District Office where the lands are located. The following information is collected on the form: (1) Your name and address, and description of the lands you are

applying for; (2) \$15 filing fee plus advanced payment of 25 cents per acre; (3) age, residence, and citizenship requirements; (4) information about previous desert land entry applications, assignments, or acquisitions; (5) declaration of your on-the-ground examination of the lands; (6) mineral information; (7) cultivation information; (8) characteristics of the land (irrigated, watered, overflowed); (9) soil characteristics; (10) irrigation requirements; (11) irrigation plan; (12) water rights information; (13) estimated farm budget; (14) explanation of the economic feasibility of farming the lands as an economic unit, if the lands do not have a common boundary); (15) type of assistance you received in completing the application; (16) petition classification information; (17) disclosure of your plans, and financial arrangements to develop, cultivate, and irrigate the lands; (18) date of application, and signature of applicant; and; (19) certified statement of your acquaintance with the lands described in your application.

After receiving the application, the BLM will examine your application for completeness and accuracy, and classify the lands included in the application. The BLM will approve your application if the lands are classified suitable of desert-land entry, or reject your application if the lands are classified unsuitable for desert-land entry.

If the BLM approves your application, you have 4 years from the date your application is approved to comply with the requirements of the desert-land laws. You are required to develop an adequate water supply to reclaim, irrigate, and cultivate all of the lands in your desert-land entry, and one-eighth of the lands must be properly cultivated and irrigated.

If you successfully meet the requirements of the desert-lands laws, you will receive a patent from the BLM which gives you legal title to the lands. If you experience an unavoidable delay in reclaiming and cultivating the lands, BLM will grant you an extension if you clearly show that the failure to reclaim and cultivate the lands within the 4-year period was due to no fault of your own. If you failed to act or were unable to get financial backing to make the required development, the BLM cannot grant you an extension.

The BLM estimates that approximately 20 applications (Form 2520-1) are received annually. Based on the BLM's experience in processing an application, it will take an average time of 90 minutes for a applicant to supply the requested information. Based on the estimated 20 applications the BLM

receives annually and the average time of 90 minutes it takes an applicant to supply the requested information, the total annual burden is collectively 30 hours.

Any interested member of the public may request and obtain, without charge, a copy of the R&PP application (Form 2520-1) by contacting the person identified under

**FOR FURTHER INFORMATION CONTACT:** All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will also become part of the public record.

Dated: March 15, 2000.

**Carole Smith,**

*BLM Information Collection Officer.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WO-350-1430-PE-01-24 1A]

#### Extension of Currently Approved Information Collection; OMB Approval Number 1004-0010

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) is announcing its intention to request extension of approval for the collection of information from those persons who submit a Conveyances Affecting Color or Claim of Title Application (Form No. 2540-2) to apply for public lands under a color-of-title claim. The BLM uses the information to determine if the applicant is eligible to acquire public lands under the Color-of-Title Act of December 22, 1928.

**DATES:** Comments on the proposed information collection must be received by May 14, 2000, to be considered.

**ADDRESSES:** Comments may be mailed to: Regulatory Management Team (420), Bureau of Land Management, 1849 C Street NW, Room 401 LS, Washington, D.C. 20240.

Comments may be sent via Internet to: [WOCComment@blm.gov](mailto:WOCComment@blm.gov). Please include "Attn: 1004-0029" and your name and return address in your Internet address.

Comments may be hand delivered to the Bureau of Land Management Administrative Record, Room 401, L Street NW, Washington, D.C. 20036.