

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### Statement of Organization, Functions, and Delegations of Authority

This notice amends Part R of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (DHHS), Health Resources and Services Administration (60 FR 56605 as amended November 6, 1995; as last amended at 65 FR 12021-4 dated March 7, 2000). This notice reflects the organizational changes in the Office of Planning, Evaluation and Legislation (RA5).

I. In the Office of Planning, Evaluation and Legislation (RA5) amend the functional statement as follows:

#### A. Immediate Office of the Director

Serves as the Administrator's primary staff unit for coordinating the agency's strategic, evaluation and research planning processes; (2) oversees communication and maintains liaison between the Administrator, other OPDIVs, higher levels of the Department and other Departments on all matters involving analysis of program policy undertaken in the Agency; (3) prepares policy analysis papers and other planning documents as required in the Administration's strategic planning process; (4) analyzes budgetary data with regard to planning guidelines; (5) collaborates with Office of Management and Program Support in the development of budgets, performance plans, and performance reports required under the Government Performance and Results Act (GPRA); (6) coordinates activity related to the prevention agenda and Healthy People 2010 activities.

#### B. Division of Planning and Evaluation (RA51)

Serves as the Administrator's primary staff unit and principal source of advice on program planning and evaluation; (2) oversees communications between the Administrator and higher levels of the Department on all matters that involve program plans and evaluation of program performance; (3) maintains liaison with other Federal and non-Federal health agencies on matters within its areas of responsibility; (4) develops short-range goals, objectives and priorities for the Administrator; (5) coordinates interrelated bureau activities which influence programmatic planning; (6) develops in collaboration with financial management staff the short-range program and financial plan

for the Administrator; (7) develops the Agency's annual evaluation plan; (8) manages evaluation funds, monitors progress of studies and disseminates results; (9) provides technical assistance to support the evaluation of policy and operations questions undertaken in the Agency.

#### C. Division of Information and Analysis (RA52)

Serves as the Administrator's primary staff unit and principal source of advice on program information and analysis; (2) oversees communications between the Administrator and higher levels of the Department on all matters that involve analysis of program policy; (3) maintains liaison with other Federal and non-federal health agencies on matters within its area of responsibility; (4) in conjunction with the Director of Planning and Evaluation, provides technical assistance to support the statistical, economic, cost benefit, and other scientific analyses of policy questions undertaken in the Agency; (5) supports development of long-range objectives and strategies; (6) identifies for the Administrator data required for use in the management and direction of Agency programs; (7) assesses and analyzes trends and makes forecasts about health services systems for use in the program management and decision making process; (8) monitors ongoing information systems which produce analytical data about the Agency's programs; (9) performs analyses of the impact of Agency programs on specific groups within the population, including minorities, and develops appropriate solutions to problems of illness and disease; and (10) coordinates the Administration's public use reports clearance function.

#### D. Division of Legislation (RA53)

Serves as the Administrator's primary staff unit and principal source of advice on legislative affairs; (2) oversees communications between the Administrator and higher levels of the Department on legislative matters; (3) oversees the legislative program for the Administrator; (4) develops a legislative program for the Agency and develops legislative proposals; (5) prepares the Administrator's analyses, position papers, and reports on proposed legislation; (6) supervises the preparation of testimony and backup materials on the Administration's legislative program for presentation to Congressional Committees; (7) monitors hearings and Congressional activities affecting the Administration; (8) in conjunction with the OAS(L), coordinates the preparation of

information requested by and provides technical assistance to, Congressional Committees, Members of Congress, or their staffs in relation to the Agency's legislative programs; and (9) coordinates the distribution of legislative materials and serves as a legislative reference center.

### III. Delegation of Authority

All delegations and redelegations of authority which were in effect immediately prior to the effective date hereof have been continued in effect in them or their successors pending further redelegations.

This reorganization is effective upon date of signature.

Dated: June 12, 2000.

**Claude Earl Fox,**

*Administrator.*

[FR Doc. 00-15551 Filed 6-20-00; 8:45 am]

BILLING CODE 4160-15-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of Application for an Incidental Take Permit for Proposed Road Construction and Multi-Family Housing Development by the Litchfield Company, Georgetown County, South Carolina

**AGENCY:** Fish and Wildlife Service, Interior

**ACTION:** Notice.

**SUMMARY:** The Litchfield Company (Applicant) requests an incidental take permit (Permit) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (U.S.C. 1531 *et seq.*), as amended (Act). The Applicant anticipates taking one breeding group of red-cockaded woodpeckers (*Picoides borealis*) (RCW) incidental to (1) construction activities for a multi-family housing development and (2) road building and usage during the RCW nesting season. The project site is about 3,600 feet west-northwest of the intersection of Highway 17 and Willbrook Boulevard at Litchfield Beach, Georgetown County, South Carolina. Foraging habitat will be impacted, but will not fall below recommended minimums as outlined in the Service's Guidelines for RCW Management on Private Lands. No cavity trees will be removed. However, construction activities (residential and road) and road usage within 400 feet of active cavity trees may harass the RCWs. A more detailed description of the mitigation and minimization measures to address the effects of the Project to

the protected species are outlined in the Applicant's Habitat Conservation Plan (Plan), and in the **SUPPLEMENTARY INFORMATION** section below. The Service has determined that the Applicant's proposal, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the Plan. Therefore, the Permit is a "low effect" project and would qualify as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of Interior Manual (516 DM2, Appendix 1 and 516 DM 6, Appendix 1).

The Service also announces the availability of the Plan and our determination of Categorical Exclusion for the incidental take application. Copies of the Plan and Service supporting documents may be obtained by making a request to the Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. This notice is provided pursuant to Section 10 of the Endangered Species Act and NEPA regulations (40 CFR 1506.6).

The Service specifically requests information, views, and opinions from the public via this Notice on the Federal action. Further, the Service specifically solicits information regarding the adequacy of the Plan as measured against the Service's Permit issuance criteria found in 50 CFR Parts 13 and 17.

If you wish to comment, you may submit comments by any one of several methods. You may mail comments to the Service's Regional Office (see **ADDRESSES**). You may also comment via the internet to "david\_dell@fws.gov". Please submit comments over the internet as an ASCII file avoiding the use of special characters and any form of encryption. Please also include your name and return address in your internet message. If you do not receive a confirmation from the Service that we have received your internet message, contact us directly at either telephone number listed below (see **FURTHER INFORMATION**). Finally, you may hand deliver comments to either Service office listed below (see **ADDRESSES**). Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the administrative record. We will honor such requests to the extent allowable by law. There may also be other circumstances in which we would withhold from the administrative record a respondent's identity, as allowable by

law. If you wish us to withhold your name and address, you must state this prominently at the beginning of your comments. We will not; however, consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Written comments on the permit application, supporting documentation, and Plan should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before July 21, 2000.

**ADDRESSES:** Persons wishing to review the application, Plan, and supporting documentation may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Field Supervisor, U.S. Fish and Wildlife Service, Post Office Box 12559, Charleston, South Carolina 29422-2559. Written data or comments concerning the application, supporting documentation, or Plan should be submitted to the Regional Office. Requests for the documentation must be in writing to be processed. Comments must be submitted in writing to be adequately considered in the Service's decision-making process. Please reference permit number TE028745-0 in such comments, or in requests of the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Dell, Regional Coordinator, (see **ADDRESSES** above), telephone: 404/679-7313, facsimile: 404/679-7081; or Ms. Lori Duncan, Fish and Wildlife Biologist, Charleston Field Office, Charleston, South Carolina (see **ADDRESSES** above), telephone: 843/727-4707 ext. 21.

**SUPPLEMENTARY INFORMATION:** The RCW is a territorial, non-migratory cooperative breeding bird species. RCWs live in social units called groups which generally consist of a breeding pair, the current year's offspring, and one or more helpers (normally adult male offspring of the breeding pair from previous years). Groups maintain year-round territories near their roost and nest trees. The RCW is unique among the North American woodpeckers in that it is the only woodpecker that excavates its roost and nest cavities in living pine trees. Each group member has its own cavity, although there may be multiple cavities in a single pine tree.

The aggregate of cavity trees is called a cluster. RCWs forage almost exclusively on pine trees and they generally prefer pines greater than 10 inches diameter at breast height. Foraging habitat is contiguous with the cluster. The number of acres required to supply adequate foraging habitat depends on the quantity and quality of the pine stems available. The RCW is endemic to the pine forests of the Southeastern United States and was once widely distributed across 16 States. The species evolved in a mature fire-maintained ecosystem. The RCW has declined primarily due to the conversion of mature pine forests to young pine plantations, agricultural fields, and residential and commercial developments, and to hardwood encroachment in existing pine forests due to fire suppression. The species is still widely distributed (presently occurs in 13 southeastern States), but remaining populations are highly fragmented and isolated. Presently, the largest known populations occur on federally owned lands such as military installations and national forests.

In South Carolina, there are an estimated 1,000 active RCW clusters; 50 percent are on Federal lands, 10 percent are on State lands, and 40 percent are on private lands (pers. com. S. Lohr, SCDNR).

There has not been a complete inventory of RCWs in South Carolina so it is difficult to precisely assess the species' overall status in the State. However, the known populations on public lands are regularly monitored and generally considered stable. While several new active RCW clusters have been discovered on private lands over the past few years, many previously documented RCW clusters have been lost. It is expected that the RCW population on private lands in South Carolina will continue to decline, especially those from small tracts isolated from other RCW populations.

An initial survey of the Applicant's property was conducted in May and June, 1997. It revealed 2 RCW clusters in the vicinity (cluster 3 and 4). Cluster 3 has a total of 22 cavity trees, 11 of which are on Willbrook Plantation, owned by the Applicant, 4 of these are active. The remaining Cluster 3 cavity trees are on adjacent property. All of the cavity trees for Cluster 4 are on adjacent property, but some foraging habitat responsibility lies with Applicant. The Applicant will also provide a small amount of foraging habitat for a third cluster north of Sandy Island Road. The breeding pair produced no offspring in 1998 and one male offspring in 1999. The nearest known RCWs are about 5

groups on the adjacent property to the north owned by Brookgreen Gardens. The next closest known active clusters are on Sandy Island (about 39 groups), about 2 miles northwest and on Prince George Plantation, about 2 miles south (mitigation site) (2 groups).

The Service worked with the Applicant in the design of the minimization and mitigation measures. To minimize impacts to the RCW from the proposed development, the Applicant will incorporate the following measures in the project:

1. The Applicant agrees to allow Fish and Wildlife Service and South Carolina Department of Natural Resources personnel to enter the property for general purposes.

2. The Applicant will conduct monitoring activities for a period of 5 years.

3. The Applicant will provide adequate foraging habitat for Cluster #3 (based on the Private Lands Guidelines) and a percentage of the foraging habitat for two additional clusters on adjacent property.

4. The Applicant will place restrictive covenants on property within the development to prevent the planting of hardwoods, and to maintain the landscape as RCW foraging habitat.

5. The Applicant will allow for the installation of artificial cavities in the common areas of the proposed development.

To mitigate for the groups to be taken, the applicant will do the following:

1. The Applicant will purchase credit for a breeding pair from Prince George Plantation. They have provisioned three recruitment clusters and implemented habitat improvement activities to increase their safe harbor baseline by one group.

The Service has therefore determined that approval of the Plan qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). No further NEPA determination will therefore be prepared.

The Service will evaluate the Plan and comments submitted thereon to determine whether the application meets the requirements of Section 10(a) of the Act. If it is determined that those requirements are met, the Permit will be issued for the incidental take of RCWs on the applicant's project site. The Service will also evaluate whether the issuance of a section 10(a)(1)(B) Permit complies with Section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the biological opinion, in combination with the above findings, will be used in the

final analysis to determine whether or not to issue the Permit.

Dated: June 15, 2000.

**H. Dale Hall,**

*Acting Regional Director.*

[FR Doc. 00-15580 Filed 6-20-00; 8:45 am]

**BILLING CODE 4310-55-P**

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Indian Gaming

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of approved Tribal-State Compact.

**SUMMARY:** Pursuant to Section 11 of the Indian Gaming Regulatory Act (IGRA), Public Law 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 gaming activities on Indian lands. The Assistant Secretary—Indian Affairs, Department of the Interior, through his delegated authority, has approved the Tribal-State Compact for Class III Gaming Between the Samish Indian Nation and the State of Washington, which was executed on April 18, 2000.

**DATES:** This action is effective June 21, 2000.

**FOR FURTHER INFORMATION CONTACT:**

George T. Skibine, Director, Office of Indian Gaming Management, Bureau of Indian Affairs, Washington, DC 20240, (202) 219-4066.

Dated: June 9, 2000.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 00-15563 Filed 6-20-00; 8:45 am]

**BILLING CODE 4310-02-P**

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-030-1310-DB]

#### Continental Divide/Wamsutter II Natural Gas Project

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

**ACTION:** Notice of Availability of the Record of Decision for the Continental Divide/Wamsutter II Natural Gas Project, Carbon and Sweetwater Counties, Wyoming.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) and implementing regulations, the Bureau of

Land Management (BLM) announces the availability of the Record of Decision (ROD) for the Continental Divide/Wamsutter II (CD/WII) Natural Gas Project in Sweetwater and Carbon Counties, Wyoming. The BLM adopts the Proposed Action as outlined in the Final Environmental Impact Statement (Final EIS) completed for this project; however, the BLM has elected to reduce the total number of proposed natural gas wells and associated facilities. Development will be reduced from the proposed 3,000 well at 3,000 well locations to allow up to 2,130 wells at 2,130 well locations within the project area. Associated access roads, pipelines, and other ancillary facilities will be reduced as well. Allowance of the remaining 870 wells/well locations and associated facilities will be reconsidered pending completion of a planning review of the Great Divide Resource Area (GDRA) Resource Management Plan (RMP) for the Rawlins Field Office (RFO) area. The Proposed Action, as modified, is the BLM's environmentally preferred alternative.

**DATES:** This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 Code of Federal Regulations (CFR) 3165.4(c). If an appeal is filed, the notice of appeal must be filed with the BLM Wyoming State Director, 5353 Yellowstone Road, P.O. Box 1829, Cheyenne, Wyoming 82003, within 30 days of the date the notice of the decision appears in the **Federal Register**. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to 43 CFR 3165.4(c) for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed in 43 CFR 3165.4(c). Copies of the notice of appeal and petition for a stay must also be submitted to the Interior Board of Land Appeals and to the appropriate office of the Solicitor at the same time the original documents are filed with BLM Wyoming State Director. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

**FOR FURTHER INFORMATION CONTACT:**

Contact either Clare Miller, BLM, Rawlins Field Office, at 307-328-4245; or Teri Deakins, BLM, Rock Springs Field Office, at 307-352-0211; or Tom Enright, BLM, Wyoming State Office, at