

72° 37' 54" West, a distance of 50.07 feet, and the point of beginning; and TRACT 101-09—containing an area of 0.001 of an acre, more or less, situated in the City of Dayton, County of Montgomery, State of Ohio, and being part of Sanford Court of the City of Dayton and being more particularly described as follows:

Beginning at a cut cross set at the Southwest Corner of said Lot Number 6315 also being the intersection of the east right-of-way line of South Williams Street (60.0 feet wide) and the north right-of-way line of Sanford Court (16.5 feet wide); Thence, North 72° 37' 54" East along the Northern right-of-way line of said Lot Number 6315, a distance of 97.46 feet to the point of beginning; Thence, North 72° 37' 54" East, a distance of 50.07 feet to an iron pin set; Thence, South 17° 33' 36" East, a distance of 8.25 feet to the centerline of Sanford Court; Thence, South 72° 37' 54" West, a distance of 50.07 feet to a point in the centerline of Sanford Court; Thence, North 16° 52' 59" West, a distance of 8.25 feet to an iron pin set, and the place of beginning.

The National Park Service has prepared a map bearing drawing number 362/80,009, dated July 19, 1999, which depicts the specific real property for inclusion within the historic park. Copies of this map are available at the following three locations: The Department of the Interior, National Park Service, Land Resources Division, 1849 "C" Street, NW, Room 2444, Washington, D.C. 20240; The National Park Service, Midwest Region Office, 1709 Jackson Street, Omaha, NE 68102; and Superintendent, Dayton Aviation Heritage National Historic Park, at the address given above.

Dated: November 24, 1999.

William W. Schenk,

Regional Director, Midwest Region.

[FR Doc. 00-16704 Filed 6-30-00; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF THE INTERIOR

National Park Service

National Park Service Concession Contract Franchise Fees

AGENCY: National Park Service, Interior.
ACTION: Notice Regarding Franchise Fee Determination

SUMMARY: On February 6, 1998, the National Park Service (NPS) published in the **Federal Register** a notice regarding the continuation of guidelines for determining franchise fees for NPS concession contracts. On November 13,

1998, Title IV of Public Law 105-391 amended NPS statutory authorities regarding concession contracts, including provisions concerning franchise fees. This notice provides the public with information as to NPS concession contract franchise fee determinations under the terms of Title IV of Public Law 105-391.

EFFECTIVE DATE: On or before August 2, 2000.

FOR FURTHER INFORMATION CONTACT:

Cindy Orlando, Concession Program Manager, National Park Service, 1849 C Street, NW, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: the February 6, 1998, **Federal Register** notice concerning NPS franchise fee determinations re-adopted those portions of the NPS concession contracting guidelines (NPS-48) that concern determinations of concession contract franchise fees, including determinations of franchise fees for new (or reviewed) concession contracts and possible adjustments to the franchise fees of existing concession contracts during their term. On April 17, 2000, NPS published in the **Federal Register** final new regulations for the NPS concession contracting program (36 CFR Part 51).

Title IV of Public Law 105-391 repealed the statutory authorities under which the franchise fee guidelines were developed. In addition, Section 407 of Public Law 105-391 established new statutory authorities and policies regarding NPS concession contract franchise fees. Title IV of Public Law 105-391 also included other provisions that have implications for concession contract franchise fees, including, without limitation, the establishment of leasehold surrender interest in certain capital improvements constructed pursuant to a concession contract.

Section 407(a) of Public Law 105-391 reads as follows:

SEC. 407(a). A concession contract shall provide for payment to the government of a franchise fee or such other monetary consideration as determined by the Secretary, upon consideration of the probable value to the concessioner of the privileges granted by the particular contract involved. Such probable value shall be based upon a reasonable opportunity for net profit in relation to capital invested and the obligations of the contract. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving park areas and of providing necessary and appropriate services for visitors at reasonable rates.

In light of the enactment of Title IV of Public Law 105-391, NPS hereby withdraws Chapter 24, Section D ("Franchise Fee") of NPS-48 as

outdated. The terms and conditions of current concession contracts and permits remain in effect except as may otherwise be provided by Section 415(a) of Public Law 105-391.

Until such time as NPS may adopt more specific new franchise fee determination guidelines reflecting the terms and conditions of Title IV of Public Law 105-391, NPS will establish minimum franchise fees for new (or renewed) concession contracts on a case by case basis in accordance with the terms of Section 407(a) of Public Law 105-391 and will include the proposed minimum franchise fee in concession contract prospectuses issued pursuant to 36 CFR part 51. The establishment of minimum franchise fees will consider the probable value to the concessioner of the privileges to be granted by the new contract. This probable value will be based upon a reasonable opportunity for net profit in relation to capital invested and the obligations of the contract. Consideration of revenue to the United States shall be subordinate to the objectives of protecting and preserving park areas and of providing necessary and appropriate services for visitors at reasonable rates.

Dated: June 27, 2000.

Maureen Finnerty,

Associate Director, Park Operations and Education.

[FR Doc. 00-16783 Filed 6-30-00; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF THE INTERIOR

National Park Service

Final Environmental Impact Statement and Comprehensive Management Plan; Merced Wild and Scenic River; Yosemite National Park; Madera and Mariposa Counties, California; Notice of Availability

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 (Pub. L. 91-190, as amended), and the Council of Environmental Quality regulations (40 CFR 1500), the National Park Service, Department of the Interior has prepared a Final Environmental Impact Statement identifying and evaluating five alternatives for a Merced Wild and Scenic River Comprehensive Management Plan (Merced River Plan) for segments of the river within lands managed by the National Park Service at Yosemite National Park, California. Potential impacts, and appropriate mitigation measures, are assessed for each alternative. Responses to public comment are provided in the document.