

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Information Collection; Request for Comments; Disposal of Mineral Materials

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service announces its intention to extend an approved information collection with change. The following two forms are authorized under Office of Management and Budget number 0596-0081: R1-FS-2850-1-Application/Permit and FS-2800-9-Contract for the Sale of Mineral Materials. The agency is requesting an authorization extension for FS-2800-9 only.

The information collected using the form, FS-2800-9, enables the Forest Service to ensure that individuals, organizations, companies, or corporations conducting mining operations on National Forest System lands, conduct the operations in a manner consistent with all applicable land management laws and regulations in an environmentally responsible manner and are financially accountable.

**DATES:** Comments must be received in writing on or before September 11, 2000.

**ADDRESSES:** Send written comments to Director, Minerals and Geology Management Staff, (Mail Stop 1126), Forest Service, USDA, PO Box 96090, Washington, DC 20090-6090.

Comments also may be submitted via facsimile to (202) 205-1243 or by e-mail to mgreeley@fs.fed.us.

The public may inspect comments in the Office of the Director, Minerals and Geology Management Staff, Forest Service, USDA, 201 14th Street, SW, Washington, D.C. To facilitate entrance into the building, visitors are encouraged to call (202) 205-1042.

**FOR FURTHER INFORMATION, CONTACT:** Mike Greeley, Minerals and Geology Management, at (202) 205-1237.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Mineral Materials Act of 1947, as amended, and the Multiple Use Mining Act of 1955, as amended, authorize the Secretary of Agriculture to dispose of petrified wood and common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and other similar materials on lands administered by the Forest Service. Individuals, organizations, companies, or corporations may apply for a permit to mine these mineral materials using the form, FS-2800-9-Contract for the Sale of Mineral Materials.

In past years, the Forest Service requested authorization for two forms for prospecting or mining mineral materials using Office of Management and Budget number 0596-0081: R1-FS-2850-1-Application/Permit and FS-2800-9-Contract for the Sale of Mineral Materials. R-1-FS-2850-1-Application/Permit is a Forest Service regional form; the agency is not requesting an authorization extension for this form. FS-2800-9-Contract for the Sale of Mineral Materials is a Forest Service national form; the agency is requesting an authorization extension for this form.

##### Description of Information Collection

The following describes the information collection to be extended:

*Title:* FS-2800-9, Contract for the Sale of Mineral Materials.

*OMB Number:* 0596-0081.

*Expiration Date of Approval:* August 2000.

*Type of Request:* Extension of an information collection approved by the Office of Management and Budget.

*Abstract:* The collected information enables the Forest Service to document planned operations, to prescribe the terms and conditions the agency deems necessary to protect surface resources, and to effect a binding contract agreement.

Forest Service employees also will evaluate the collected information to ensure that entities, applying to mine petrified wood and common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and other similar materials on lands administered by the Forest Service, are financially

accountable and conduct their activities in accordance with the mineral regulations at part 228, subpart C, of title 36 of the Code of Federal Regulations.

Individuals, organizations, companies, or corporations, interested in mining mineral materials on National Forest System lands, may contact their local Forest Service office to inquire about opportunities and to learn about areas on which such activities are permitted. Interested parties also may request the form, FS-2800-9, at this time.

Individuals, organizations, companies, or corporations are asked to provide information that includes the purchaser's name and address, the location and dimensions of the area to be mined, the kind of material that will be mined, the quantity of material that will be mined, the sales price of the mined material, the payment schedule, the amount of the bond, and the period of the contract.

Data collected in this information collection are not available from other sources.

*Estimate of Burden:* 2.5 hours.

*Type of Respondents:* Mineral materials operators.

*Estimated Number of Respondents:* 1,000.

*Estimated Number of Responses per Respondent:* 1.

*Estimated Total Annual Burden on Respondents:* 2,500 hours.

#### Comment is Invited

The agency invites comments on the following: (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 respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

**Use of Comments**

All comments, including name and address when provided, will become a matter of public record. Comments received in response to this notice will be summarized and included in the request for Office of Management and Budget approval.

Dated: July 6, 2000.

**James R. Furnish,**

*Deputy Chief for National Forest System.*

[FR Doc. 00-17580 Filed 7-11-00; 8:45 am]

**BILLING CODE 3410-11-U**

**DEPARTMENT OF AGRICULTURE****Forest Service****Davis Land Exchange; White River National Forest; Colorado**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of land exchange.

**SUMMARY:** On June 15, 2000, Anne Keys, Deputy Under Secretary for Natural Resources and Environment, signed a Decision Notice and Finding of No Significant Impact for the Davis Land Exchange. The decision authorizes the exchange of 7.32 acres within the White River National Forest, Colorado, for approximately 61 acres in Pitkin County, Colorado. The exchange will be completed under authority of and in accordance with the General Exchange Act of March 20, 1922; the Federal Land Policy and Management Act of October 21, 1976, as amended; and the Federal Land Exchange Facilitation Act of August 20, 1988.

**EFFECTIVE DATE:** June 15, 2000.

**ADDRESSES:** Copies of the decision and environmental assessment may be obtained from Mr. Allan Grimshaw, Aspen Ranger District, 806 West Hallam Street, Aspen, CO 81611.

**FOR FURTHER INFORMATION CONTACT:**

Allan Grimshaw, Aspen Ranger District, at (970) 925-3445 or email agrimshaw@fs.fed.us.

Dated: June 26, 2000.

**Sally D. Collins,**

*Associate Deputy Chief.*

**Decision Notice and Finding of No Significant Impact for the Davis Land Exchange, Pitkin County, Colorado, USDA Forest Service, White River National Forest, Aspen and Sopris Ranger Districts, May 2000**

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**Introduction**

The Davis Land Exchange was initiated in an effort to resolve a title claim by Mr. D. Stone Davis against the United States, Pitkin County, Colorado, and others. Properties claimed by both the United States and Mr. Davis were conveyed to the United States by Pitkin County in 1994 as part of the implementation of the Colorado Land Exchange Act of May 19, 1994 (Pub. L. 103-255). The United States has entered into a settlement agreement with Davis and Pitkin County whereby the United States would consider exchange of certain National Forest System lands for Davis' interest in disputed lands and others.

This Decision Notice (DN) documents my decision regarding the proposed Davis Land Exchange. An environmental assessment (EA) has been prepared in compliance with the National Environmental Policy Act for this proposal and discloses the environmental effects. This EA is available for review at the Forest Service Offices in Aspen and Glenwood Springs, Colorado. A biological assessment (BA)/biological evaluation (BE) was prepared in compliance with process requirements under the Endangered Species act and related Forest Service Policy. Floodplain and wetlands evaluations were prepared. A heritage resources inventory and report were completed. I referred to and have relied heavily upon these documents in my decision documented here.

**Purpose and Need**

The Colorado Land Exchange Act of May 19, 1994 (Pub. L. 103-255) directed the Forest Service to exchange approximately one hundred thirty two acres of land at the former Mt. Sopris Tree Nursery (MSTN), in Eagle County, Colorado, for approximately one thousand three hundred acres of patented mining claims whose ownership was claimed by Pitkin and Eagle Counties. Pitkin County issued a quit claim deed to the United States for 148 patented claims on August 16, 1994 and an additional quit claim deed for 4

patented parcels on September 30, 1994. Eagle County issued a quit claim deed to United States for 4 patented claims on July 26, 1994.

The Act also provided that any party who claimed any right, title, or interest in or to any lands conveyed to the Forest Service under the Act, would have to bring an action against the United States pursuant to the Real Property Quiet Title Act of October 25, 1972 (section 2409a of title 28, U.S.C.), prior to September 15, 2000. Civil action No. 96-WM-1607 was filed in United States District Court for the District of Colorado, naming the United States of America, Pitkin County, and a number of other parties as defendants. The purpose of the action was to have the court quiet title to the Picayune Lode (U.S. Mineral Survey No. 5743) and the Daisy Lode (U.S. Mineral Survey No. 4050).

Subsequently, Mr. Davis, the United States and Pitkin County negotiated a settlement agreement to resolve Mr. Davis' title claim. The settlement agreement was accepted by the U.S. District Court on September 10, 1999. The settlement agreement specifies that Mr. Davis, the United States, and Pitkin County will exchange various interests in land.

**The Decision**

I am well convinced that there is a valid purpose and need for this exchange. It is my decision to proceed with the land exchange as proposed in Alternative 1 of the EA. The exchange will be completed under authority of and in accordance with the General Exchange Act of March 20, 1922 (Pub. L. 67-173), the Federal Land Policy and Management Act of October 21, 1976 (FLPMA, Pub. L. 100-409). Additional authority for settlement is provided through the United States Attorney Manual, Chapter 4-1.300.

The Forest Service will convey approximately 7.32 acres of Federal land with an agency approved value of \$725,000 to D. Stone Davis. Non-Federal parcels totalling approximately 65 acres with an agency approved value of \$897,781 will become National Forest. This exchange will require a cash equalization payment by the United States to Mr. Davis in the amount of \$172,781, in order to meet the equal value requirements of the Federal Land Policy and Management Act. The decision also includes the specified mitigation outlined in the environmental assessment. With regards to item d. of Alternative 1, the MIDCON Realty property to be conveyed to the United States is described as follows: