

Permit No. TE-055422

Applicant: BIO-Logic Environmental, Montrose, Colorado.

Applicant requests a permit for recovery purposes to conduct presence/absence surveys for southwestern willow flycatcher (*Empidonax traillii extimus*) within Colorado.

Permit No. TE-059141

Applicant: City of New Braunfels, New Braunfels, Texas.

Applicant requests a permit for research and recovery purposes to allow habitat management for the fountain darter (*Etheostoma fonticola*), within Comal County, Texas, in the form of aquatic plant removal resulting in some take of fountain darter eggs.

Permit No. TE-059794

Applicant: Mary Darling, Tucson, Arizona.

Applicant requests a permit for research and recovery purposes to conduct presence/absence surveys within Arizona for the following species: southwestern willow flycatcher (*Empidonax traillii extimus*), cactus ferruginous pygmy owl (*Glaucidium brasilianum cactorum*), Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*), and Gila topminnow (*Poeciliopsis occidentalis*).

Leslie A. Dierauf,

Acting Assistant Regional Director, Ecological Services, Region 2, Albuquerque, New Mexico.

[FR Doc. 02-23650 Filed 9-17-02; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Receipt of a Permit Application (Sweeny) for Incidental Take of the Houston Toad**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: Gary Sweeny (Applicant) has applied for an incidental take permit (TE-060909-0) pursuant to section 10(a) of the Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and operation of a church on an approximately 1.79 acre property in the Bastrop Hills Homesites Subdivision, Bastrop County, Texas.

DATES: Written comments on the application should be received within 60 days of the date of this publication.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Clayton Napier, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Supervisor, U.S. Fish and Wildlife Service, Austin, Texas, at the above address. Please refer to permit number TE-060909-0 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Clayton Napier at the U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (Service), under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 60 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

Applicant: Gary Sweeny plans to construct a church, within 5 years, on an approximately 1.79 acre property in the Bastrop Hills Homesites Subdivision, Bastrop County, Texas. This action will eliminate 1.79 acres or less of Houston toad habitat and result in indirect impacts within the lot. The Applicant proposes to compensate for this incidental take of the Houston toad by providing \$5,370.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and

management within Houston toad habitat.

Bryan Arroyo,

Acting Regional Director, Region 2.

[FR Doc. 02-23651 Filed 9-17-02; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Bureau of Land Management**

[WO-320-1990-FA-24 1A]

OMB Approval Number 1004-0114; Information Collection Submitted to the Office of Management and Budget Under the Paperwork Reduction Act

The Bureau of Land Management (BLM) has submitted an extension of a currently approved collection to collect the information listed below to the Office of Management and Budget under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). On August 21, 2001, the BLM published a notice in the **Federal Register** (66 FR 43900) requesting comments on this information collection. The comment period ended on October 22, 2001. The BLM received no comments from the public in response to that notice. You may obtain copies of the collection of information and related forms and explanatory material by contacting the BLM Information Collection Clearance Officer at the telephone number listed below.

The OMB must respond to this request within 60 days but may respond after 30 days. For maximum consideration your comments and suggestions on the requirement should be made within 30 days directly to the Office of Management and Budget, Interior Department Desk Officer (1004-0114), Office of Information and Regulatory Affairs, Washington, DC 20503. Please provide a copy of your comments to the Bureau Information Collection Clearance Officer (WO-630), Bureau of Land Management, Eastern States Office, 7450 Boston Blvd., Springfield, Virginia 22153.

Nature of Comments

We specifically request your comments on the following:

1. Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;
2. The accuracy of the BLM's estimate of the burden of collecting the information, including the validity of the methodology and assumptions used;
3. The quality, utility and clarity of the information to be collected; and

4. How to minimize the burden of collecting the information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other forms of information technology.

Title: Recordation of Location Notices and Annual Filings for Mining Claims, Mill Sites, and Tunnel Sites; Payment of Location and Maintenance Fees and Service Charges (43 CFR parts 3730, 3810, 3820, 3830, and 3850).

OMB Approval Number: 1004-0114.

Bureau Form Numbers: 3830-2 and 3830-3.

Abstract: We use the information collected to determine whether or not mining claimants have met the statutory requirements. Mining claimants must record location notices or certificates of mining claims, mill sites, and tunnel sites with BLM within 90 days of their location. Claimants who do not pay the maintenance fee must make an annual filing by December 30. The mining claim or site is forfeited by operation of law if claimants fail to record the mining claim or site or to submit an annual filing when required.

Enactment of Public Law 107-63 of November 5, 2001 (115 Stat. 414) and 30 U.S.C. 28(f)-(k) requires payment of a \$100 per claim or site maintenance fee for fiscal years 2002 and 2003. The payment is due at the time of recording and by each September 1st thereafter. The Act also requires a \$25 location fee for all new claims or sites located, payable at the time of recording with BLM. Certain "small miners" owning 10 or fewer claims or sites in total may file by each September 1st a waiver from payment of the maintenance fee and record of an annual filing as in the past. The mining claim or site is forfeited by operations of law if claimants fail to pay the fee or file for a waiver by September 1st.

Public Law 107-63 (43 U.S.C. 299[b]) established new procedures for location of mining claims upon the reserved mineral estate of the United States where the mineral estate was reserved under the authority of the Stock Raising Homestead Act of 1916, as amended. The locator must now file a "Note of Intent to Locate Mining Claims" (NOITL) with BLM and serve a copy of the NOITL upon the surface owner of record listed in the local tax records. The locator must wait 30 days after serving the surface owner before entering the lands or locating mining claims upon the lands so noticed. The notice segregates the lands from mining claim location or mineral sale under 43 U.S.C. 1719 on behalf of the locator for 90 days from acceptance by BLM. BLM must post the NOITL on the official land

records. The surface owner is not subject to filing a NOITL and may locate mining claims at any time the mineral estate is not segregated.

Frequency: Once for notices and certificates of location, NOITL, and payment of location fees. Once each year for annual filings, payment of maintenance fees or filing of waivers. As needed for recording of amendments to a previously recorded notice or certificate of location or transfer of interest.

Description of Respondents:

Respondents may range from individual to multi-national corporations.

Estimated Completion Time: Eight minutes for each document or payment (one hour for a Deferment Petition).

Annual Responses: 236,852.

Application Fee per Response: Service charges are assessed at \$10 each for new claims, \$5 each for all other mining claims documents, and NOITL and petitions for deferment of assessment work is \$25 each.

Annual Burden Hours: 31,585.

Bureau Clearance Officer: Michael Schwartz, (202) 452-5033.

Dated: April 5, 2002.

Michael H. Schwartz,

Bureau of Land Management, Information Collection Clearance Officer.

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after 30 days. For maximum consideration your comments and suggestions on the requirement should be made within 30 days directly to the Office of Management and Budget, Interior Department Desk Officer (1004-0145), Office of Information and Regulatory Affairs, Washington, DC 20503. Please provide a copy of your comments to the Bureau Information Collection Clearance Officer (WO-630), Bureau of Land Management, Eastern States Office, 7450 Boston Blvd., Springfield, Virginia 22153.

Nature of Comments

We specifically request your comments on the following:

(1) Whether the collection of information is necessary for the proper functioning of the BLM, including whether the information will have practical utility;

(2) The accuracy of BLM's estimates of the burden of collecting the information, including the validity of the methodology and assumptions we use;

(3) The quality, utility, and clarity of the information we collect; and

(4) How to minimize the burden of collecting the information on those who are to respond, including the use of appropriate automated electronic, mechanical, or other forms of information technology.

Title: Oil and Gas Exploration and Leasing (43 CFR parts 3100, 3120, and 3150).

OMB Approval Number: 1004-0145.

Abstract: We use the information to determine whether an applicant is qualified to conduct oil and gas exploration and leasing activities and to hold a lease to obtain a benefit under the terms of the Mineral Leasing Act of 1920. Respondents supply the information that we will use to determine if an applicant is eligible to hold, explore for, and produce oil and gas on Federal lands.

Form Number: 3100-11.

Frequency: On occasion.

Description of Respondents:

Individuals, small businesses, and oil and gas exploration and drilling companies.

Estimated Completion Time: 1 hour.

Annual Responses: 1,770.

Application Fee per Response: 0.

Annual Burden Hours: 2,235.

Bureau Clearance Officer: Michael H. Schwartz (202) 452-5033.

Dated: August 21, 2002.

Michael H. Schwartz,

Bureau of Land Management, Information Collection Clearance Officer.

[FR Doc. 02-23671 Filed 9-17-02; 8:45 am]

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