

incidental to, and not the purpose of, the carrying out of an otherwise lawful activity) of listed species under limited circumstances. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32; regulations governing permits for endangered species are promulgated in 50 CFR 17.22.

The proposed action is the issuance of a permit under section 10(a)(1)(B) of the Act to allow the incidental take of Preble's during the construction of a residential and commercial development at the site. The project will directly affect approximately 33.97 hectares (83.93 acres), of which 10.68 hectares (26.38 acres) are temporary impacts and the remaining 23.29 hectares (57.55 acres) are permanent impacts to potential habitat for Preble's. A Plan has been developed as part of the preferred alternative.

The Preble's is the only federally-listed species that occurs on site and has the potential to be directly affected by the proposed project. The Applicant has agreed to implement the following measures to minimize and mitigate the impacts that may result from project construction:

1. Enhance 4.41 hectares (10.90 acres) of Preble's habitat along the North Fork of Pine Creek. Enhancement will include transplanting native shrubs from areas of impact to protected habitat, over-seeding of native grasses, and noxious weed control.

2. Restoration of 10.68 hectares (26.38 acres) along the main branch of Pine Creek, and the North and South forks of Pine Creek. Restoration will include the immediate revegetation of the site with native grass seed and clumps of native shrubs.

3. Preservation of 64.13 hectares (158.48 acres) of Preble's habitat by the placement of deed restrictions over the property. This is the result of protecting all remaining Preble's habitat within the project area. An additional 7.75 hectares (19.14 acres) of natural open space adjacent to Preble's habitat also will be protected.

4. Off-site enhancement and restoration of approximately 75 hectares (186 acres) along Kettle Creek, an area known to have a healthy population of Preble's. Enhancement will include transplanting native shrubs from areas of impact to protected habitat, over-seeding of native grasses, and noxious weed control. Existing horse trails along the creek bottom will be restored by stabilizing the immediate area, then seeding with native grass species.

5. Off-site preservation of the 75-hectare (186-acre) Kettle Creek Preserve. Initially the property will be protected

by deed restrictions. After that, the deed to the entire property will be turned over to the Trust for Public Lands, who is in the process of forming a new not-for-profit organization to take control of these types of properties and manage them for the sole purpose of endangered species habitat.

We previously published a notice requesting comment on this proposal on November 22, 2002 (67 FR 70453). On December 12, 2002, we received a request from Earthjustice Legal Defense Fund to extend the comment period an additional 60 days. Because the Plan and permit application have already been available for 30 days and the request did not contain sufficient rationale for unduly delaying a decision on the permit, we have determined that an additional 60 days is not warranted. However, we are hereby granting an extension for an additional 30 days.

This notice is provided pursuant to section 10(c) of the Act. The Service will evaluate the permit application, the Plan, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit will be issued for the incidental take of Preble's. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: December 20, 2002.

**John A. Blankenship,**

*Deputy Regional Director, Denver, Colorado.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AK-933-1430-ET; AA-26417]

#### Notice of Proposed Extension of Withdrawal and Opportunity for Public Meeting; Alaska

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Geological Survey proposes to extend Public Land Order No. 6458 for a 20-year period. This order withdrew public land from settlement, sale, location, or entry under the general land laws, including the mining laws to protect the Sitka Magnetic Observatory Site. This Notice also gives an opportunity to comment on the proposed action and to request a public meeting.

**DATES:** Comments and requests for a public meeting must be received by April 21, 2003.

**ADDRESSES:** Comments and requests should be sent to the Alaska State Director, BLM Alaska State Office, 222 West 7th Avenue, No. 13, Anchorage, Alaska 99513-7599. You can access information about sending comments electronically at: <http://www.anchorage.ak.blm.gov/sitkamos.html>.

#### FOR FURTHER INFORMATION CONTACT:

Robbie J. Havens, BLM Alaska State Office, 907-271-5477.

**SUPPLEMENTARY INFORMATION:** On July 25, 2002, the U.S. Geological Survey requested that Public Land Order No. 6458 be extended for an additional 20-year period. Public Land Order No. 6458, which expires on September 6, 2003, withdrew 117.13 acres from settlement, sale, location or entry under the general land laws, including the mining laws to protect the Sitka Magnetic Observatory Site, as it affects the following described land:

Copper River Meridian  
T. 55 S., R. 63 E., U.S. Survey No. 2545, Lot 4.

The area described contains 117.13 acres.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal extension may present their views in writing to the Alaska State Director of the Bureau of Land Management.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed extension. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal extension must submit a written request to the Alaska State Director within 90 days from the date of publication of this notice. If the authorized officer determines that a public meeting will be held, a notice of the time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

This application will be processed in accordance with the regulations set forth in 43 CFR 2300.

Dated: November 25, 2002.

**Linda J. Resseguie,**

*Acting Chief, Branch of Lands, Division of Lands, Minerals, and Resources.*

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