

*utahensis*), and Banbury Springs Limpet (*Lanx* n. sp.) in the Snake River, Idaho, and its tributaries to (and including) river mile 458 (Swan Falls) while conducting presence or absence surveys and various life history and ecological studies for the purpose of enhancing their survival.

**DATES:** Written comments on these permit applications must be received on or before March 5, 1997.

**ADDRESSES:** Written data or comments should be submitted to the Chief, Division of Consultation and Conservation Planning, Ecological Services, U.S. Fish and Wildlife Service, 911 N.E. 11th Avenue, Portland, Oregon 97232-4181. Please refer to the respective permit number for each application when submitting comments. All comments, including names and addresses, received will become part of the official administrative record and may be made available to the public. Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice, to the above office. Please refer to the respective permit number for each application when requesting copies of documents.

**FOR FURTHER INFORMATION CONTACT:**

Jennifer Frie, Fish and Wildlife Biologist, at the above address; telephone (503) 231-6125.

Dated: January 22, 1997.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon

[FR Doc. 97-2572 Filed 1-31-97; 8:45 am]

BILLING CODE 4310-55-P

**Notice of Receipt of an Application, and Availability of an Environmental Assessment and Finding of No Significant Impact for an Incidental Take Permit for the Red Hills Salamander by Wilmon Timberlands for Forest Management in Southcentral Alabama**

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

**ACTION:** Notice.

**SUMMARY:** Wilmon Timberlands seeks an incidental take permit (ITP) from the Fish and Wildlife Service (Service), pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*) (Act), as amended. The ITP would authorize, for a period

of 30 years, the incidental take of a threatened species, the Red Hills salamander (*Phaeognathus hubrichti*). The proposed take is incidental to forest management activities on about 2,970 acres of Red Hills salamander habitat managed by the Applicant in Monroe County, Alabama. The Service also announces the availability of an Environmental Assessment (EA) and Habitat Conservation Plan (HCP) for this incidental take permit application. The HCP, which is required by Section 10(a)(2)(A) of the Act, was prepared and submitted by the Applicant with the permit application. Copies of the EA and/or HCP may be obtained by making a request in writing to the Regional Office (see **ADDRESSES**). This notice also advises the public that the Service has made preliminary determinations that issuing an ITP to the Applicant is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), as amended. The Finding of No Significant Impact (FONSI) is based on information contained in the EA and HCP. The final determination will be made no sooner than 30 days from the date of this notice. This notice is provided pursuant to Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

**DATES:** Written comments on the application, EA and HCP should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before March 5, 1997.

**ADDRESSES:** Persons wishing to review the application, HCP, and EA 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 at the Jackson, Mississippi, Field Office, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi 39213. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Comments must be submitted in writing to be processed. Please reference permit under PRT-824543 in such comments, or in requests for the documents discussed herein. Requests for the documents must be in writing to be adequately processed.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick G. Gooch, Regional Permit Coordinator, Atlanta, Georgia (see

**ADDRESSES** above), telephone: 404/679-7110; or Mr. Will McDearman at the Jackson, Mississippi, Field Office (see **ADDRESSES** above), telephone: 601/965-4900, extension 24.

**SUPPLEMENTARY INFORMATION:** The Red Hills salamander (RHS), *Phaeognathus hubrichti*, is a plethodontid salamander known only from the Red Hills region of southcentral Alabama in portions of Butler, Conecuh, Covington, Crenshaw, and Monroe Counties. This physiographic subdivision of the Gulf Coastal Plain is distinguished by hilly, dissected terrain, frequently with steep side slopes extending 200 feet from the ridge to the base of the lower slope. Natural vegetation of these moist, steep, sheltered slopes and ravines consists of a beech-magnolia forest community. Characteristic woody species in the forest overstory include American beech (*Fagus grandifolia*), bigleaf magnolia (*Magnolia macrophylla*), southern magnolia (*M. grandiflora*), white oak (*Quercus alba*), and tulip tree (*Liriodendron tulipifera*). Portions of this and closely related forest types in the Red Hills region are underlain by clays, claystones, and siltstones of the Tallahatta and Hatchetigbee formations. RHS occupy subterranean burrows within the fissures and channels of these formations on relatively steep slopes beneath undisturbed and moderately disturbed hardwood and hardwood-pine dominated forests. RHS, which rarely leave their burrows, prey upon ground-dwelling arthropods located within burrows or outside burrows near the burrow entrance. Substrates of the Tallahatta and Hatchetigbee formation apparently are important for maintaining suitable moisture required for these amphibians. Other important factors preventing the desiccation of RHS micro-habitat include loamy soils, leaf litter from deciduous trees, and a well developed overstory canopy of hardwoods that intercepts direct sunlight. Timber management practices that reduce or eliminate the forest canopy, disturb or compact soils, and convert hardwood-dominated forests to pine-dominated forests can incidentally kill, injure, or harm RHS in violation of Section 9 of the Act. Such practices can involve timber harvest, the operation of vehicular logging equipment, timber regeneration, and site preparation in habitat occupied by RHS. Based on RHS surveys conducted by the Applicant, RHS may occur on about 2,970 acres managed by Wilmon Timberlands. This represents about five percent of the range wide total habitat estimated to remain in 1978.

The EA considers the environmental consequences of two alternatives. The proposed action is the issuance of the ITP based upon the submittal of the HCP. This action is based on a preliminary determination by the Service that the HCP will satisfy the requirements of Section 10(a)(2)(B) of the Act. By this alternative, the HCP conserves RHS by restricting timber management activities in optimal and moderately suitable habitat. Optimal habitat occupies about 1,340 acres with steep (> 27 degree) slopes, underlain by the Tallahatta formation, with a forest dominated by deciduous trees. Timber harvests, if any, in optimal habitat will be limited to single tree selection while maintaining a forest canopy coverage over at least 90 percent of a site. To minimize disturbance to soils and destruction of RHS burrows, no vehicular logging equipment will operate within optimal habitat. Felled timber will be pulled from preferred habitat by cable from vehicular or other logging equipment located in adjacent habitat. Also, timber regeneration will occur naturally without site preparation or planting. Moderately suitable RHS habitat consists of slopes 18 to 27 degrees on either the Tallahatta or Hatchetigbee formations, with naturally occurring mixed hardwood-pine and pine-hardwood forest types. Timber harvests by single tree selection will be conducted while maintaining a forest canopy cover over at least 65 percent of a site, followed by natural regeneration. In marginally suitable to unsuitable RHS habitat on slopes of less than 18 degrees within the Tallahatta or Hatchetigbee formations, the Applicant will use a full array of forest management practices, including uneven-aged management, even-aged management with clear cutting, site preparation, and artificial and natural regeneration.

RHS populations in marginally suitable habitat will be significantly reduced or eliminated as a result of clear cutting, site preparation, and conversion to pine forests. Because RHS are more common and abundant in optimal habitat, the HCP will conserve core RHS populations where most RHS exist. The conservation of RHS in optimal habitat is consistent with the Service's recovery plan for the species. Populations in moderately suitable habitat may be extirpated or they may persist following timber harvests with vehicular logging equipment and a reduction in the forest canopy to 65 percent coverage of a site. The HCP also includes maintaining forest buffer zones adjacent to optimal habitat, staff training to implement the conservation plan,

funding, and monitoring and reporting of management actions.

The second alternative in the EA is the no action alternative in which the Service would not issue the ITP. The basis for this alternative would be the failure of the Applicant to satisfy requirements of Section 10(a)(2)(B) of the Act for permit issuance. Without the authority to incidentally take RHS, the Applicant is expected to avoid timber harvesting and related forest management actions in habitat occupied by the RHS to reduce or eliminate the possibility of illegally taking the RHS.

As stated above, the Service has made a preliminary determination that the issuance of this ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of NEPA and will result in the FONSI. This preliminary determination is based on information in the EA and HCP. The determination may be revised due to public comment received in response to this notice. An excerpt from the FONSI reflecting the Service's finding on the application is provided below:

Based on the analysis conducted by the Service, it has been determined that:

1. Issuance of an ITP would not have significant effects on the human environment in the project area.
2. The proposed take is incidental to an otherwise lawful activity.
3. The Applicant has ensured that adequate funding will be provided to implement the measures proposed in the submitted HCP.
4. Other than impacts to endangered and threatened species as outlined in the documentation of this decision, the indirect impacts which may result from issuance of the ITPs are addressed by other regulations and statutes under the jurisdiction of other government entities. The validity of the Service's ITPs are contingent upon the Applicants' compliance with the terms of their permits and all other laws and regulations under the control of State, local, and other Federal governmental entities.

The Service will also evaluate whether the issuance of a Section 10(a)(1)(B) ITP complies with Section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the Section 7 biological opinion, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

Dated: January 27, 1997.

Noreen K. Clough,  
*Regional Director.*

[FR Doc. 97-2579 Filed 1-31-97; 8:45 am]

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## Bureau of Indian Affairs

### Indian Gaming

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

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

**SUMMARY:** Pursuant to 25 U.S.C. § 2710, of the Indian Gaming Regulatory Act of 1988 (Pub. L. 100-497), 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 (casino) gambling on Indian reservations. The Assistant Secretary—Indian Affairs, Department of the Interior, through her delegated authority, has approved the Tribal/State Gaming Compact between the Citizen Band Potawatomi Indian Tribe and the State of Oklahoma, which was executed on December 5, 1996.

**DATES:** February 3 1997.

**FOR FURTHER INFORMATION CONTACT:** George T. Skibine, Director, Indian Gaming Management Staff, Bureau of Indian Affairs, Washington, D.C. 20240, (202) 219-4068.

Dated: January 24, 1997.

Ada E. Deer,

*Assistant Secretary—Indian Affairs.*

[FR Doc. 97-2551 Filed 1-31-97; 8:45 am]

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## Bureau of Land Management

[CA-067-7122-6606; CACA-35511]

### Environmental Impact Statement/ Environmental Impact Report for the Proposal Imperial Project, California

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

**ACTION:** Amendment.

**SUMMARY:** In the Federal Register of November 1, 1996 (Vol. 61, p. 56567), a notice was published pertaining to the availability of the draft Environmental Impact Statement/Environmental Impact Report for the proposed Imperial Project. This amends that notice.

Because of expressed interest, a public hearing will be held at the Barbara Worth Convention Center in Holtville, California at 6:30 PST to 8:30 PST on Thursday February 6, 1997. Furthermore, the comment period on