

three sides by urban development and the site itself is negatively influenced by adjacent residents (e.g., trash dumping, off-road vehicle use, etc.). Due to the proximity of the Project site to existing residential development, fire has been actively excluded because of human safety concerns. As a result, the condition of the xeric habitat within and adjacent to the Project site is degraded; periodic fire is required to maintain habitat conditions suitable for the scrub-jay.

Many of the factors discussed above for the scrub-jay are also affecting the eastern indigo snake, sand skink, and blue-tailed mole skink within the Project site and vicinity. The eastern indigo snake is a wide-ranging species that is found in most upland communities, however, it is typically found in more xeric areas. This species has a relatively large territory size (100 to 200 acres) that may cover several vegetative community types. Indigo snakes are difficult to survey, so positive identification of occupied habitat is often problematic. Habitat loss and fragmentation are currently thought to be the primary threat to this species.

The sand skink and blue-tailed mole skink inhabit xeric uplands of central Florida. The sand skink is semi-fossorial while the blue-tailed mole skink is exclusively fossorial. These species spend much of their time buried in or on top of the dry, loose sandy soils of xeric uplands. As mentioned above, agricultural development over the past 100 years has resulted in the loss or degradation of up to 50 percent of the xeric uplands of central Florida. Accordingly, these species have declined in numbers and distribution.

Construction of the Project's infrastructure and subsequent construction of the individual homesites will likely result in death of, or injury to, scrub-jays, indigo snakes, sand skinks, and blue-tailed mole skinks, incidental to the carrying out of these otherwise lawful activities. Habitat alteration associated with the proposed residential development will reduce the availability of feeding, nesting, and sheltering habitat for these species.

The Applicant's HCP and the Service's EA describes the following minimization and mitigation strategy to be employed by the Applicant to offset the impacts of the Project to the scrub-jay:

- During lot preparation, the Applicant agrees to minimize loss of xeric vegetation, by restricting vegetation clearing to that necessary for construction.
- The Applicant shall use native xeric plants for ornamental purposes, and

encourage such use by future homeowners.

- Compensate for the destruction of 3.04 acres of suitable scrub-jay habitat by acquiring and providing a management endowment for 6.08 acres of xeric upland habitat at a location specified by the Service, or
- Provide \$13,406 in funding to be used for the acquisition and management of xeric uplands, public education, and/or research, as specified by the Service.

The EA considers the environmental consequences of two action alternatives, both of which would require issuance of an ITP. The preferred alternative would affect about eight acres of xeric uplands and a larger scale residential development plan would affect about 30 acres of xeric uplands. The no action alternative (not issue the ITP) may result in loss of habitat for federally listed species described above and exposure of the Applicant under Section 9 of the Act. The proposed action alternative is issuance of the ITP according to the HCP as submitted and described above. Under the proposed alternative, the effect of the minimization and mitigation strategy will be that the affected scrub-jay habitat within the Project site will be mitigated through a financial contribution or through fee simple acquisition of off-project suitable habitat areas. Funding for habitat acquisition or fee simple acquisition of habitat by the Applicant is expected to adequately compensate for the effect of the anticipated incidental take of eastern indigo snakes, sand skinks, and blue-tailed mole skinks, as described in the Service's EA. On-site minimization measures will provide short-term protection of some habitat for the covered species; however, the influences of urbanization will eventually erode the value of any xeric vegetation retained within the Project site.

As stated above, the Service has made a preliminary determination that the issuance of the 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. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA and HCP. Similarly, the Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, an ITP will be issued for incidental take of the covered species. 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 consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP; the final decision will be made no sooner than 30 days from the date of this notice.

Dated: April 1, 1999.

**H. Dale Hall,**

*Deputy Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WO-320-1330-01-24 1A]

#### Notice of Proposed Information Collection, OMB Approval No. 1004-0103

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

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Bureau of Land Management (BLM) announces its intention to request renewal of the existing approval to collect information from applicants who apply to purchase mineral materials from public lands under the mineral materials regulations. Respondents supply the information so that BLM can evaluate the environmental impacts of their proposals and determine their qualifications to receive a mineral materials contract.

**DATES:** BLM must receive comments on the proposed information collection by June 7, 1999, to assure its consideration of them.

**ADDRESSES:** Mail comments to: Director (630), Bureau of Land Management, 1849 C St., N.W., Mail Stop 401 LS, Washington, D.C. 20240. Send comments by means of the internet to: [WoComment@wo.blm.gov](mailto:WoComment@wo.blm.gov). Please include "ATTN: 1004-0103" and your name and return address in your internet message.

You may hand deliver comments to the BLM Administrative Record, Room 401 L Street, N.W., Washington, D.C. BLM will make comments available for public review and comment at the L Street address during regular business hours (7:45 am to 4:15 pm), Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Durga N. Rimal, Solid Minerals Group, (202) 452-0350.

**SUPPLEMENTARY INFORMATION:** The regulations at 5 CFR 1320.8(d) require BLM to provide a 60-day notice in the **Federal Register** concerning the collection of information contained in Forms 3600-4 and 3600-5, to seek comments on: (1) 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; (2) 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; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. BLM will review and analyze any comments sent in response to this notice and include them with its request for approval from the OMB under the Paperwork Reduction Act.

The Mineral Materials Act of 1947, as amended (Act), 30 U.S.C. 601 and 602, provides for the disposal of mineral materials, such as sand, gravel, and petrified wood, from the public lands by sale or free use. The Secretary disposes of such materials at his discretion, consistent with the regulations at 43 CFR Part 3600.

BLM uses the information that an applicant or permittee submits to: (1) determine if the sale of mineral materials is in the public interest, (2) mitigate the environmental impacts of mineral materials development, (3) get fair market value for the materials sold, and (4) prevent trespass removal of the materials.

Applicants must submit a written request to BLM to purchase mineral materials. Specific information requirements are not stated in the regulations, but all sales agreements are made on contract forms approved by the BLM Director. BLM uses two forms. Form 3600-4 is used when the sale value is less than \$2,000, and the applicant fully pays the amount due when executing the contract. Form 3600-5 is used for sales of \$2,000 or more and provides for installment payments. Both forms require the following information: (1) The applicant's name and address, (2) an authorized signature, and (3) the

location and amount of the material to be purchased. BLM uses the information to enter into the binding contract and to identify and communicate with the applicant. Without binding contractual agreements, the federal government would not be able to require appropriate reclamation of disturbed sites, protect natural resources, or ensure regular payments for the public mineral materials sold.

Based on BLM's experience in administering the activities described, the public reporting burden for the information described is estimated to average 30 minutes per response. The respondents operators desiring sand, gravel, stone, and other mineral materials from lands under BLM jurisdiction. The frequency of response is once or twice per year.

The majority of respondents consist of permittees with sales contracts amounting to less than \$2,000. Depending upon the site and the amount of materials, BLM, before processing the applications, may require applicants to provide an outline of a mining or reclamation plan at the time of applications. A majority of sales occur from community pits for which BLM has already developed a mining and reclamation plan, and there is no additional burden to applicants. The estimated average preparation time for completing Forms 3600-4 and 3600-5 and preparing any supporting documents is 30 minutes. Actual time varies from 15 minutes (most common) to several days for larger projects. The number of requests for sales averages 2,600 per year, with a total annual burden of 1,125 hours.

For sales contracts with terms exceeding 1 year, respondent must submit annual production reports for the duration of the contract. The average reporting burden for such respondents is about 30 minutes. The estimated number of production reports is 600 per year, with an estimated annual burden of 300 hours.

Applicants for sales contracts may test and sample deposits, with letters of use authorization from BLM. In an average year BLM issues about 100 letters of use authorization. The collective annual burden for this activity is estimated to be 75 hours. The total annual burden for all respondents is 1,500 hours.

BLM will summarize all responses to this notice and include them in the request for Office of Management and Budget approval. All comments will become part of the public record.

Dated: March 30, 1999.

**Carole Smith,**

*BLM Information Clearance Officer.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NV 910 0777 30]

#### **Northeastern Great Basin Resource Advisory Council Meeting Location and Time**

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

**ACTION:** Resource Advisory Councils' Meeting Location and Time.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act and the Federal Advisory Committee Act of 1972 (FACA), 5 U.S.C., the Department of the Interior, Bureau of Land Management (BLM), Council meetings will be held as indicated below. The agenda for the May 14, 1999 meeting includes: approval of minutes of the previous meeting, Standards and Guidelines for wild horses, pinyon-juniper, mining and recreation; a status report on the Fish Creek Interim Evaluation by Eureka County; Resource Advisory Council (RAC) member reports on constituent contacts regarding possible Wilderness legislation; 3809 draft mining regulations; report on a wild horse gentling initiative; renewal of the RAC Charter; and field manager reports on current BLM activities and planned actions for the Battle Mountain, Elko and Ely Field Offices. The Council will also determine subject matter for future meetings.

On May 15, 1999, the Council will take a field tour of the Fish Creek Wild Horse Herd Management Area.

All meetings are open to the public. Citizens may present written comments to the Council. Each formal Council meeting will also have time allocated for hearing public comments. The public comment period for the Council meeting is listed below. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. The public may attend the field tour. Individuals who plan to attend or need special assistance, such as sign language interpretation or other reasonable accommodations, should contact Curtis Tucker, Special Projects Coordinator, Ely District Office, 702 North Industrial Way, HC 33 Box 33500,