

not result in significant adverse effects on public health or safety.

4. The project does not require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act, nor does it threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

5. Approval of the Plan would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service therefore has preliminarily determined that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). Based upon this preliminary determination, we do not intend to prepare further National Environmental Policy Act documentation. The Service will consider public comments in making its final determination on whether to prepare such additional documentation.

The Service provides this notice pursuant to section 10(c) of the Act. We will evaluate the permit application, the Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10 (a) of the Act. If the requirements are met, the Service will issue a permit to the Weyerhaeuser Venture Company for the incidental take of the valley elderberry

longhorn beetle from development of the Parcel 9 Project area. We will make the final permit decision no sooner than 30 days from the date of this notice.

Dated: February 18, 2000.

**Elizabeth H. Stevens,**

*Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[ES-930-1320-AC-KYES-34711]**

#### Lease Modification Application for Coal Lease KYES 34711

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

**ACTION:** Notice of Public Hearing and Availability of Environmental Assessment.

**SUMMARY:** Eastern States hereby gives notice that a public hearing will be held for comments on the environmental assessment, maximum economic recovery, and the fair market value of the coal resources covered by an application for modification of Coal Lease KYES 3471. Appolo Fuels Incorporated filed the lease modification application in accordance with 43 CFR 3432. The potentially bypass coal resource to be mined by UNDERGROUND mining methods from the Poplar Lick and Stray "C" coal seams in the Kentucky Ridge State

Forest (KY-LU-1, Tract 1101a) Bell County, Kentucky. This lease modification application is to add 160 acres to Federal lease KYES 34711 and State lease CLR-795. The tract would be accessed from underground and is north of private reserves leased to Appolo Fuels, Inc. The eastern and northern boundary extends to the outcrop of the coal seam and the western boundary is contiguous to Federal lease KYES 34711 and State lease CLR795. The 160-acre modification to the Federal lease KYES 34711 was delineated as a result an application by the lessee. The BLM geologic report estimates 737,300 Federal and 245,800 State tons in the coal reserve base of the lease modification area. Due to the thinness of the seam, the coal reserve base (as defined in 43 CFR 3480.0.5(a)(5)) does not include the Buckeye Springs seam. Mining on the existing lease tract and on adjoining private land will proceed with or without the Federal lease modification tract. The proposed action will protect the Federal and State interest by preventing the underground bypass of 307,200 tons of recoverable reserves, the loss of \$607,000 royalty to the general funds, and by providing an overall \$4,366,500 positive economic impact. Of the 307,200 tons, 259,200 tons are in the lease modification tract and 48,000 tons are in the existing lease. The 48,000 tons can only be mined from proposed portals.

We have found the quality range of the coal beds is as follows:

#### COAL QUALITY—DRY BASIS

Seam	DH#	ASH	Volatile	Fixed carbon	B.T.U.	Sulfur
Stray "C" .....	AF-10 .....	5.31	41.71	52.98	14,145	1.45
Poplar Lick .....	AF-10 .....	40.18	26.22	33.60	9,025	0.70
	AF-11 .....	8.17	37.09	54.74	13,714	1.28

**Note:** Percentages sum to more than 100 due to rounding. Dry basis calculated by mathematically removing water.

The purpose of the hearing is to obtain comments on the Environmental Assessment prepared on the following items:

1. The method of mining to be employed to obtain maximum economic recovery of the coal;

2. The impact that mining the coal in the proposed lease modification area may have on the surrounding area including, but not limited to, impacts on the environment; and

3. Factors affecting, and methods of determining, the fair market value of the coal to be mined.

The environmental assessment will be available for review on February 24, 2000, the Bureau of Land Management, Jackson Field Office, 411 Briarwood Drive, Suite 404, Jackson, Mississippi 39206. Copies of the environmental assessment will also be available at the public hearing.

**SUPPLEMENTARY INFORMATION:** Written requests to testify orally at the March 24, 2000, public hearing should be received at Jackson Field Office, Eastern States, Bureau of Land Management, address set out above, prior to the close of business at 4:00 p.m., on March 21, 2000.

Both oral and written comments will be received at the public hearing, but speakers will be limited to a maximum of 10 minutes each depending on the number of persons desiring to comment. The time limitation will be strictly enforced, but the complete text of prepared speeches may be filed with the presiding officer at the hearing, whether or not the speaker has been able to finish oral delivery in the allotted minutes. In addition, the public is invited to submit written comments concerning the fair market value of the coal resource to the Bureau of Land Management. Public comments will be utilized in establishing fair market value

for the coal resources in the described lands. Comments should address specific factors related to the fair market value, including, but not limited to: the quantity and quality of the coal resources, the price that the mined coal would bring in the marketplace, the cost of producing the coal, the probable timing and rate of production, the interest rate at which anticipated income streams may be discounted, depreciation and other accounting factors, the expected rate of industry return, the value of the surface estate and the mining method or methods which would achieve maximum economic recovery of the coal. Documentation of similar market transactions, including location, terms and conditions, may be submitted at this time. These comments will be considered in the final determination of fair market value as determined in accordance with 43 CFR 3422.1. Should any information submitted as comments be considered to be proprietary, the information should be labeled as such and stated in the first page of the submission.

**DATE AND TIME:** The public hearing will be held on *March 24, 2000, at 5:00 p.m. EST.*

**ADDRESSES:** The public heading will be held in the conference room at the Days Inn, (606) 248-6860, 11252 N. 12th Street, Middlesboro, Kentucky 40965.

**FOR FURTHER INFORMATION CONTACT:** John Lewis, *John Lewis@jfo/es/blm.gov*. Bureau of Land Management, Jackson Field Office, 411 Briar Wood Drive, Suite 404, Jackson, Mississippi, 39206, (601) 977-5437 or Tim Best, *Tim Best@eso/es.blm.gov*. Bureau of Land Management, Eastern States 7450 Boston Boulevard, Springfield, Virginia 22153, (703) 440-1527.

Dated: February 23, 2000.

**Walter Rewinski,**

*Deputy State Director, Division of Resources Planning, Use and Protection.*

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**BILLING CODE 4310-GJ-M**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[AZ-020-00-1610-DH]

#### **Notice of Availability (NOA) of the Finding of No Significant Impacts (FONSI) and the Proposed Lower Gila Resource Planning Area Amendment (Proposed Plan) and Final Environmental Assessment to the Lower Gila North Management Framework Plan and the Lower Gila South Resource Management Plan, La Paz, Yuma, Yavapai, Maricopa, Pinal and Pima Counties, Arizona**

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice.

**SUMMARY:** The BLM, in response to the need to resolve pertinent issues and to enhance management of critical resources, has prepared a FONSI and proposed plan in compliance with the Federal Land Policy and Management Act of 1976, as amended, and section 102(2)(c) of the National Environmental Policy Act of 1969. An analysis of potential environmental impacts found that impacts would not be significant leading to a FONSI. Because of the FONSI, an environmental impact statement is not required to support the proposed plan.

**DATES:** Protests on the proposed plan must be postmarked no later than March 29, 2000.

**ADDRESSES:** Protests on the proposed plan must be sent to the Director (210), BLM Planning, Assessment & Community Support Group, 1849 C Street NW, MS: 1050-LS/BLM, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Hector Abrego, Team Leader, BLM, Phoenix Field Office, 2015 West Deer Valley Road, Phoenix, AZ 85027 or telephone (623) 580-5500.

#### **SUPPLEMENTARY INFORMATION:**

*Description of the proposed action:* Establishes five well-blocked public land management areas for long-term management of resources and public land uses. Land tenure adjustment: Identifies approximately 34,100 acres available for disposal, establishes guidelines for acquisition of high resource value lands, allows for exchanges within management areas for repositioning lands with high resource values and establishes the framework to dispose of federal minerals under nonfederal surface estate and to acquire nonfederal minerals estate under federal surface estate. Desert tortoise habitat management: Standardizes habitat

management by incorporating the goals and objectives in "Desert Tortoise Habitat Management on Public Lands: a Rangewide Plan" (BLM 1988) and "Strategy for Desert Tortoise Habitat Management on Public Lands in Arizona" (BLM 1990). Desert bighorn sheep augmentation and reestablishment: Expands areas where sheep augmentation and reestablishment may occur on a case-by-case basis. Wild horse and burro management: Establishes the Harquahala, Little Harquahala and Painted Rock herd areas as herd management areas. These areas, along with the existing Alamo Herd Management Area, will be managed to support populations of wild burros in a thriving natural ecological balance. Recreation management: Provides for resource-based recreational opportunities which range from recreational site facilities to remote primitive areas, establishes off-highway and special recreation vehicle designations and management, designates special recreation management areas, establishes camping stay limits and establishes guidance to address special uses and scarce opportunities. Oil and gas development: Establishes an orderly oil and gas exploration and development process and identifies 375,000 acres of wilderness as closed to oil and gas leasing.

*Alternatives analyzed:* A no action—current guidance alternative was analyzed in the plan amendment. Under this alternative, management of the six issues would remain status quo. No management areas would be established. Land tenure adjustment: Approximately 62,260 acres would remain available for disposal and approximately 10,735 acres of state lands are identified for acquisition. Desert tortoise habitat management: Management would be guided through "Desert Tortoise Habitat Management on Public Lands: A Rangewide Plan" (BLM 1988) and "Strategy for Desert Tortoise Habitat Management on Public Lands in Arizona" (BLM 1990). Desert bighorn sheep augmentation and reestablishment: Reestablishment could occur only in the Black Mountains and augmentations would be authorized on a case-by-case basis. Wild horse and burro management: Continue managing burros and related issues on a case-by-case basis within the Harquahala, Little Harquahala and Painted Rocks herd areas. Burros in the Alamo Herd Management Area would be managed using valid existing decisions. Recreation management: The 14-day