

Dated: December 22, 1999.

John P. Burke III,

*HCFA Reports Clearance Officer, HCFA,
Office of Information Services, Security and
Standards Group, Division of HCFA
Enterprise Standards.*

[FR Doc. 00-313 Filed 1-6-00; 8:45 am]

BILLING CODE 4120-03-P

**DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

**Substance Abuse and Mental Health
Services Administration (SAMHSA);**

Notice of a Meeting

Pursuant to Public Law 92-463, notice is hereby given of a meeting of the Substance Abuse and Mental Health Services Administration (SAMHSA) National Advisory Council in January 2000.

The SAMHSA National Advisory Council meeting will be open and will include follow up to the September 22 SAMHSA National Advisory Council Meeting, presentations and updates on SAMHSA's HIV Agenda, Healthy People 2010 Objectives, the Surgeon General's Report on Mental Health, Parity, a discussion on the implications of the Olmstead Decision, and discussions on what's ahead in the new millennium for mental health, substance abuse treatment, and substance abuse prevention. In addition, there will be status reports by the Council's workgroups on communication and co-occurring addictive and mental disorders.

Attendance by the public will be limited to space available. Public comments are welcome. Please communicate with the individual listed as contact below to make arrangements to comment or to request special accommodations for persons with disabilities.

Substantive program information, a summary of the meeting, and a roster of Council members may be obtained from the contact whose name and telephone number is listed below.

Committee Name: SAMHSA National Advisory Council.

Date/Time: Thursday, January 20, 2000, 9:00 a.m. to 4:45 p.m. (Open); Friday, January 21, 2000, 9:00 a.m. to 12:15 p.m. (Open).

Place: Hilton Washington and Towers 1919 Connecticut Avenue, NW., Washington, DC 20009.

Contact: Toian Vaughn, Executive Secretary, 5600 Fishers Lane, Parklawn Building, Room 17-89, Rockville, MD 20857; Telephone: (301) 443-4266; FAX: (301) 443-1587 and e-mail: TVaughn@samhsa.gov.

Dated: January 3, 2000.

Sandra Stephens,

*Acting Committee Management Officer,
SAMHSA.*

[FR Doc. 00-305 Filed 1-6-00; 8:45 am]

BILLING CODE 4162-20-P

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT**

[Docket No. FR-4557-N-01]

**Federal Property Suitable as Facilities
To Assist the Homeless**

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

EFFECTIVE DATE: January 7, 2000.

FOR FURTHER INFORMATION CONTACT: Clifford Taffet, Department of Housing and Urban Development, Room 7262, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: December 30, 1999.

Fred Karnas, Jr.,

Deputy Assistant Secretary for Special Needs Assistance Programs.

[FR Doc. 00-191 Filed 1-6-00; 8:45 am]

BILLING CODE 4210-29-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability

SUMMARY: The Fish and Wildlife Service has published a Comprehensive Conservation Plan, Environmental

Assessment, and a Finding of No Significant Impact for Pond Creek National Wildlife Refuge. The plan describes how the Fish and Wildlife Service intends to manage the refuge for next 15 years.

ADDRESSES: A copy of the above documents may be obtained by writing to the Fish and Wildlife Service, Attention: David Erickson, 1875 Century Boulevard, Suite 420, Atlanta, Georgia 30345; or Refuge Manager, Felsentahal National Wildlife Refuge Complex, 5531 Highway 82W, Crossett, Arkansas 71635.

FOR FURTHER INFORMATION CONTACT: David Horning, Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, Georgia 30345; Telephone: 404/679-7116.

SUPPLEMENTARY INFORMATION: By implementing this comprehensive conservation plan, the refugee seeks to maintain and restore diverse habitats designed to achieve refuge purpose and wildlife population objectives; maintain viable, diverse populations of native flora and fauna consistent with sound biological principles; protect the area's wetlands and restore values through land protection strategies; and develop and implement a quality wildlife-dependent recreation program that leads to enjoyable recreation experiences and a greater understanding and appreciation of fish and wildlife resources.

Dated: December 14, 1999.

H. Dale Hall,

Acting Regional Director.

[FR Doc. 00-314 Filed 1-6-00; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

**Availability of a Draft Environmental
Assessment and Receipt of an
Application for an Incidental Take
Permit for the Tulare Irrigation District
Main Intake Canal Lining Project,
Tulare County, CA**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability and receipt of application.

SUMMARY: The Tulare Irrigation District has applied to the Fish and Wildlife Service (Service) for an incidental take permit (Permit) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Service proposes to issue a 5-year Permit to Tulare Irrigation District that

would authorize take of the threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) (beetle) and the endangered San Joaquin kit fox (*Vulpes macrotis mutica*) (fox) incidental to otherwise lawful activities. Such take would occur during the concrete lining of 9.7 miles of an existing canal in Tulare County, California. Lining of the canal will result in the loss of up to 54 elderberry plants with 227 stems which provide habitat for the beetle. This project may also result in destruction of potential fox dens, and could result in harassment of foxes during construction.

This notice advises the public that the Service has opened the comment period on the permit application and the draft environmental assessment. The permit application includes Tulare Irrigation District's Habitat Conservation Plan (Plan) for the beetle and fox. The Plan describes the proposed project and the measures that Tulare Irrigation District would undertake to minimize and mitigate take of beetles and foxes. The environmental assessment addresses effects on the environment that may result from the Service's issuance of the Permit. Issuance of a Permit to Tulare Irrigation District for the canal lining project has already been subject to a 30-day public comment period (64 FR 42408). The original application requested incidental take for the beetle only. The Service now proposes to issue the Permit for take of the beetle and the fox.

The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the National Environmental Policy Act and section 10(a) of Act. The Service will also evaluate whether the issuance of the requested permit complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The resulting section 7 biological opinion, in combination with the National Environmental Protection Act and section 10(a) evaluations, will be used in the final analysis to determine whether or not to issue the requested permit. The final National Environmental Protection Act and Endangered Species Act determinations will not be completed until after the end of a 30-day comment period and will fully consider all comments received. If it is determined that the requirements are met, the requested permit will be issued for the incidental take of the beetle and fox subject to the provisions of Tulare Irrigation District's Plan.

DATES: Written comments should be received on or before February 7, 2000.

ADDRESSES: Send written comments to Mr. Wayne White, Field Supervisor, Fish and Wildlife Service, 2800 Cottage Way, Room W-2605, Sacramento, California 95825-1846. Comments may be sent by facsimile to 916-414-6713.

FOR FURTHER INFORMATION CONTACT: Ms. Jesse Wild, Fish and Wildlife Biologist, at the above address or call (916) 414-6600.

SUPPLEMENTARY INFORMATION:

Document Availability

Please contact the above office if you would like copies of the application, Plan, and environmental assessment. Documents also will be available for review by appointment, during normal business hours at the above address.

Background

Section 9 of the Act and Federal regulations prohibit the "take" of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the Act to include kill, harm, or harass. The Service may, under limited circumstances, issue permits to authorize incidental take; *i.e.*, take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22, respectively.

Tulare Irrigation District operates the Main Intake Canal (canal) primarily to transport an average of 60,000 acre-feet of water from the St. Johns and Kaweah Rivers to agricultural areas within Tulare Irrigation District boundaries. The canal begins at a turnout on the Friant-Kern Canal approximately 4 miles east of the community of Ivanhoe in Tulare County and proceeds in a general southwesterly direction to the Tulare Irrigation District boundary at Road 132 approximately 3 miles west of the community of Farmersville. The existing canal is unlined with a varying capacity up to 900 cubic feet per second. Since 1978, the canal has conveyed water an average of 177 days per year. According to Tulare Irrigation District, approximately 10 percent of water conveyed through the canal is lost to seepage. Therefore, Tulare Irrigation District has proposed to line the canal to conserve water, increase water deliveries, and decrease per-unit costs associated with water deliveries.

Although the maintained banks of the canal are generally unvegetated, several mature oaks, cottonwoods, and elderberry bushes are present within

and adjacent to Tulare Irrigation District right-of-ways. Land use adjacent to the canal is primarily agricultural (vineyards, orchards, and nurseries) interspersed with stretches of sparse residential and industrial developments. The irrigation district comprises approximately 70,000 acres of land, which has been entirely developed for agricultural, residential, and/or commercial purposes.

In 1998, biologists surveyed the project area for special-status wildlife and plant species that could be affected by the project. Blue elderberry plants, potential habitat for the beetle, were observed at various locations along the canal. Some of these plants had stems with exit holes indicating use by beetles. Potential fox den sites were also found along the canal.

Lining of the canal will result in the loss of up to 54 elderberry plants (beetle habitat) with 227 stems greater than one inch in diameter (the minimum stem size believed to be necessary for supporting beetles). Tulare Irrigation District has agreed to implement the following measures to minimize and mitigate take of the beetle: (1) Protect elderberry bushes in place, where possible, by using protective fencing and conducting educational meetings with contractors to highlight the importance of protecting elderberry bushes; and (2) make a one-time payment into the Beetle Mitigation Fund that has been established through a joint agreement between the Service and the Center for Natural Lands Management. Payments made to the Beetle Mitigation Fund will be dispersed by the Center for Natural Lands Management at the direction of the Service to preserve and manage large tracts of habitat suitable for supporting beetles.

Foxes potentially inhabiting the project area could be harassed through temporary disturbance during construction. The Service expects take of up to five potential fox dens. To minimize these impacts, Tulare Irrigation District agreed to implement the following measures to minimize take of foxes: (1) Conduct preconstruction surveys consistent with Service protocol; (2) collapse unoccupied potential dens to prevent occupation during construction; (3) limit construction to daylight hours, to minimize harassment of nocturnally active wildlife, including foxes; (4) cap pipes over four inches in diameter, or check any such pipes for wildlife before they are moved; (5) check for presence of wildlife before operating any equipment with the potential to conceal

wildlife; and (6) place speed limits of 20 miles per hour or less on canal roads.

The Proposed Action addressed in the environmental assessment consists of the issuance of a Permit to allow the potential incidental take of beetles and foxes incidental to the Main Intake Canal Lining Project. The environmental assessment focuses on the potential impacts on beetles and foxes that may result from issuance of a Permit and implementation of the Plan. Impacts on other resources (ground water and surface water, land use, aesthetic resources, air quality, noise, cultural resources, public services, traffic, and circulation) are discussed in detail in the Environmental Impact Report for the Main Intake Canal Lining Project and are summarized in the Service's environmental assessment.

An alternative to the taking of listed species under the Proposed Action is considered in the Plan and environmental assessment. Under the No Action Alternative, no permit would be issued. However, the No Action Alternative is unacceptable as it will continue to result in the loss of up to 6,000 acre-feet of water per year. Five other alternatives are presented in the Plan and the environmental assessment, but are considered unacceptable for various reasons, including disagreement among, or opposition from, local landowners.

All interested agencies, organizations, and individuals are urged to provide comments on the permit application and environmental assessment. All comments received by the closing date will be considered in finalizing National Environmental Protection Act compliance and permit issuance or denial. The Service will publish a record on its final action in the **Federal Register**.

Dated: January 3, 2000.

Thomas Dwyer,

Acting Regional Director, Fish and Wildlife Service, Portland, Oregon.

[FR Doc. 00-333 Filed 1-6-00; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability, Oil Spill Restoration Plan and Environmental Assessment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: The Fish and Wildlife Service, on behalf of the Department of

the Interior, the National Oceanic and Atmospheric Administration (Administration), the State of Washington, and the Makah Tribe, announces the release for public review of a Revised Draft Restoration Plan and Environmental Assessment for the *Tenyo Maru* Oil Spill (Plan/Assessment). The Plan/Assessment covers the Natural Resource Trustees' (Trustees) proposal to restore natural resources injured as a result of the 1991 *Tenyo Maru* fishing vessel oil spill.

DATES: Written comments must be submitted on or before February 7, 2000.

ADDRESSES: Requests for copies of the Plan/Assessment may be made to: Fish and Wildlife Service, 510 Desmond Drive SE, Suite 102, Lacey, Washington 98503, Attn: Cindy M. Chaffee. The Plan/Assessment is also available for download at <http://www.r1.fws.gov> and <http://www.darcnw.noaa.gov/tenyo.htm>. Written comments regarding the Plan/Assessment should be sent to the same mailing address as requests for copies of the Plan/Assessment.

FOR FURTHER INFORMATION CONTACT: Cindy M. Chaffee, Fish and Wildlife Service, 510 Desmond Drive SE, Suite 102, Lacey, Washington 98503. Interested parties may also call (360) 753-4324.

SUPPLEMENTARY INFORMATION: On July 22, 1991, a Japanese fishing vessel (*Tenyo Maru*) and a Chinese freighter (*Tuo Hai*) collided about 20 miles northwest of Neah Bay, Washington, spilling at least 100,000 gallons of oil. Beaches were fouled with oil from Vancouver Island, British Columbia to northern Oregon. While impacts were scattered along the entire Washington State shoreline and the northern beaches of Oregon, the heaviest oiling occurred along the Makah Indian Reservation and the Olympic National Park shoreline. Seabirds, and to a lesser extent, kelp habitats, were demonstrated to have been injured by the spill. The trustees documented that common murrelets (*Uria aalge*) and federally threatened marbled murrelets (*Brachyramphus marmoratus*) were killed, as well as rhinoceros auklets (*Cerorhinca moncerata*), tufted puffins (*Fratercula cirrhata*), Cassin's auklets (*Ptychoramphus aleuticus*) and pigeon guillemots (*Cephus columba*). Oil was observed in many of the giant kelp (*Macrocystis*) and bull kelp (*Nereocystis*) dominated kelp beds from Cape Alava north to Tatoosh Island and from Tatoosh Island east to Waadah Island.

Claims for natural resource damages were settled by consent decree under the Oil Pollution Act of 1990 (Act), 33

U.S.C. 2701 *et seq.* Under the consent decree, the defendants agreed to pay approximately \$5.2 million to the natural resource trustees to compensate the public for the injury, destruction, and loss of natural resources resulting from the spill.

On February 10, 1999, the Trustees published a Notice of Availability for a draft Plan/Assessment. The Trustees received numerous comments on this draft Plan/Assessment. In response to those comments, the Trustees have made several changes to the Plan/Assessment. These changes include: (1) The addition of funding for an emergency towing vessel stationed at the entrance to the Strait of Juan de Fuca; (2) an option to consider a project involving restoration of tufted puffins; and (3) elimination of the Seabird By-Catch Reduction in Coastal Net Fisheries Project. In order to help focus public review, the revised Plan/Assessment includes the highlighting of additional language and strike-out lines where language has been removed from the draft Plan/Assessment published last February.

The Plan/Assessment is presented to the public by the Trustees responsible for restoration implementation under the consent decree and is consistent with the Natural Resource Damage Assessment Regulations found at 15 CFR, Part 990. The Plan/Assessment describes the affected environment and illustrates potential restoration alternatives to restore, rehabilitate, replace, or acquire the equivalent of natural resources injured in the *Tenyo Maru* oil spill and their environmental consequences.

The preferred restoration alternative selected by the Trustees is an integrative restoration approach that restores populations of injured resources, provides quality habitat, and allows natural recovery. Proposed restoration efforts will include the combination of protection and enhancement activities that have the greatest potential to restore the injured natural resources, with particular emphasis on seabirds. The Plan/Assessment proposes to restore injured resources by: (1) Restoring common murre or potentially, tufted puffin colonies within the Copalis National Wildlife Refuge; (2) contributing to an oiled wildlife rehabilitation center; (3) educating the public on the negative impacts caused by human disturbance of nesting seabird colonies; (4) protecting injured natural resources from further impacts of oil spills; (5) protecting marbled murrelet habitat; and (6) reducing siltation in rivers to aid salmon recovery.