

infrequently prescribed fire further reduced the open forest with grasses and forbs that tortoises need for burrowing, nesting, and feeding. Over 19,000 gopher tortoises have been estimated to occur in the listed range. The tortoise, however, is a long-lived animal with low reproductive rates. Remaining populations, though relatively widespread, are individually small, fragmented, and usually in poor habitat without adequate reproduction for a self-sustaining viable population. Frequent fire no longer naturally occurs in the listed range due to past effects of habitat alteration and fragmentation. Without prescribed fire and other restoration actions the quality of gopher tortoise habitat continues to decline. Land management to avoid the incidental take of tortoises will not recover the species since restoration and active management to maintain habitat is required.

Under section 9 of the Act and its implementing regulations, "taking" of endangered and threatened wildlife is prohibited. However, the Service, under limited circumstances, may issue permits to take such wildlife if the taking is incidental to and not the purpose of otherwise lawful activities. The Applicant has prepared an HCP as required for the incidental take permit application.

The biological goal of the Applicant's HCP is to conserve, restore, and sustain all gopher tortoise colonies for a 5-year period in stands where timber will be thinned or regenerated. Prior to timber harvests, each stand will be comprehensively surveyed for gopher tortoise colonies. A management area will be designated for each colony where thinning, prescribed fire, and other measures will be used to reduce or eliminate encroaching shrubs, hardwoods, and as necessary pine trees to create an open forest and optimal conditions for gopher tortoises. Since the density of tortoises is greater in colonies, the objective of the plan is to conserve and manage segments of the population that most likely continue to breed.

Gopher tortoise surveys on 20,000 acres of transects on the Applicant's land have not identified any colonies or populations that are potentially viable with 50 or more interbreeding tortoises. Gopher tortoises occur, overall, at low densities on the Applicant's land. The focus of this interim plan is to conserve the most likely breeding segments of the population that are important for short-term survival. During this period, a long-term plan will be developed based on additional research and comprehensive surveys on up to 80,000

acres of habitat. The goal of the future plan is restore and manage habitat for aggregations of colonies with the greatest potential to contribute to recovery.

The HCP has the following objectives:

1. Survey Applicant's lands within the historic gopher tortoise range to identify tortoise occurrence in relation to soil type and other habitat parameters in order to develop predictive models of tortoise occurrence.

2. Conduct research to form a scientific basis for submission of an HCP for at least an additional 25 years that would seek to build and maintain viable gopher tortoise populations on the Applicant's lands.

3. Conduct research to evaluate adverse effects of mechanized forest management and harvesting, and other silvicultural practices on gopher tortoises.

4. Identify gopher tortoise colonies and designate management areas around these sites. Improve and perpetuate favorable habitat conditions around these management areas.

5. Conduct research necessary to implement long term mitigation with the goal of creating larger, contiguous gopher tortoise management units that will become viable population centers contributing to species recovery goals.

6. Demonstrate successful application of adaptive management, sound science, and third party involvement in development of a broad-base HCP that has the core objective of contributing to gopher tortoise recovery.

7. Establish management, mitigation, and monitoring protocol for implementation of future versions of the HCP in longer term incidental take authorizations.

8. Inform and train applicant's employees, contractors, and recreational users on the gopher tortoise management guidelines specified in the HCP.

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 draft EA and HCP.

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 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: February 7, 2001.

Sam D. Hamilton,
Regional Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-958-6320-ET; HAG-01-0080; OR-10676, et al]

Cancellation of Proposed Withdrawals, and Expiration of Public Land Order; Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: On October 30, 2000, Public Law (PL) 106-399, the Steens Mountain Cooperative Management and Protective Act of 2000 was enacted into law. As a result of the law, the Bureau of Land Management (BLM) has canceled two withdrawal applications and allowed Public Land Order (PLO) No. 5822 to expire, in Harney County, Oregon.

FOR FURTHER INFORMATION CONTACT: Charles R. Roy, BLM Oregon/Washington State Office, 503-952-6189.

SUPPLEMENTARY INFORMATION: On October 30, 2000, the Steens Mountain Cooperative Management and Protective Act of 2000 (PL 106-399) was enacted into law, superseding two proposed withdrawals and PLO No. 5822.

A Notice of Proposed Withdrawal was published in the **Federal Register**, (64FR50531, September 17, 1999) as FR Doc. 99-23812, for the BLM to withdraw 619,000 acres of Federal lands, 73,900 acres of Federal minerals, and 37,400 acres of Federal Surface lands from the non-discretionary public land and mining laws, for the Steens Mountain Area. Another Notice of Proposed Withdrawal was published in the **Federal Register**, (65FR38849, June 22, 2000) as FR Doc. 00-15781, for the BLM to withdraw 17,056.18 acres of public lands, and 680 acres of non-federal lands, from surface entry and mining, but not the mineral leasing, for the Diamond Craters Outstanding Natural Area/Area of Critical Environmental Concern. In addition, Public Land Order No. 5822, published in the **Federal Register**, (46FR6947, January 22, 1981) as FR Doc. 81-2310, for the BLM withdrew 16,656.18 acres of Federal lands from settlement, sale, location, or entry under the general land laws, including the mining laws, but not

from mineral leasing, for the Diamond Craters Geologic Area has also been superseded by PL 106-399, and allowed to expire.

The segregative effect for the Federal interests in the above mentioned proposed withdrawals, and the PLO, are lifted, subject to PL 106-399, valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law.

Dated: February 26, 2001.

Robert D. DeViney, Jr.,
Chief, Branch of Realty and Records Services.
[FR Doc. 01-5232 Filed 3-2-01; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Quarterly Status Report of Water Service, Repayment, and Other Water-Related Contract Negotiations

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given of proposed contractual actions pending through December 31, 2000, and contract actions that have been completed or discontinued since the last publication of this notice on October 16, 2000. From the date of this publication, future quarterly notices during this calendar year will be limited to new, modified, discontinued, or completed contract actions. This annual notice should be used as a point of reference to identify changes in future notices. This notice is one of a variety of means used to inform the public about proposed contractual actions for capital recovery and management of project resources and facilities. Additional Bureau of Reclamation (Reclamation) announcements of individual contract actions may be published in the **Federal Register** and in newspapers of general circulation in the areas determined by Reclamation to be affected by the proposed action. Announcements may be in the form of news releases, legal notices, official letters, memorandums, or other forms of written material. Meetings, workshops, and/or hearings may also be used, as appropriate, to provide local publicity. The public participation procedures do not apply to proposed contracts for sale of surplus or interim irrigation water for a term of 1 year or less. Either of the contracting parties may invite the public to observe contract proceedings. All public participation procedures will be

coordinated with those involved in complying with the National Environmental Policy Act.

ADDRESSES: The identity of the approving officer and other information pertaining to a specific contract proposal may be obtained by calling or writing the appropriate regional office at the address and telephone number given for each region in the supplementary information.

FOR FURTHER INFORMATION CONTACT:

Sandra L. Simons, Manager, Water Contracts and Repayment Office, Bureau of Reclamation, PO Box 25007, Denver, Colorado 80225-0007; telephone 303-445-2902.

SUPPLEMENTARY INFORMATION: Pursuant to section 226 of the Reclamation Reform Act of 1982 (96 Stat. 1273) and 43 CFR 426.20 of the rules and regulations published in 52 FR 11954, Apr. 13, 1987, Reclamation will publish notice of the proposed or amendatory contract actions for any contract for the delivery of project water for authorized uses in newspapers of general circulation in the affected area at least 60 days prior to contract execution. Pursuant to the "Final Revised Public Participation Procedures" for water resource-related contract negotiations, published in 47 FR 7763, Feb. 22, 1982, a tabulation is provided of all proposed contractual actions in each of the five Reclamation regions. Each proposed action is, or is expected to be, in some stage of the contract negotiation process in 2001. When contract negotiations are completed, and prior to execution, each proposed contract form must be approved by the Secretary of the Interior, or pursuant to delegated or redelegated authority, the Commissioner of Reclamation or one of the regional directors. In some instances, congressional review and approval of a report, water rate, or other terms and conditions of the contract may be involved.

Public participation in and receipt of comments on contract proposals will be facilitated by adherence to the following procedures:

1. Only persons authorized to act on behalf of the contracting entities may negotiate the terms and conditions of a specific contract proposal.

2. Advance notice of meetings or hearings will be furnished to those parties that have made a timely written request for such notice to the appropriate regional or project office of Reclamation.

3. Written correspondence regarding proposed contracts may be made available to the general public pursuant to the terms and procedures of the

Freedom of Information Act (80 Stat. 383), as amended.

4. Written comments on a proposed contract or contract action must be submitted to the appropriate regional officials at the locations and within the time limits set forth in the advance public notices.

5. All written comments received and testimony presented at any public hearings will be reviewed and summarized by the appropriate regional office for use by the contract approving authority.

6. Copies of specific proposed contracts may be obtained from the appropriate regional director or his designated public contact as they become available for review and comment.

7. In the event modifications are made in the form of a proposed contract, the appropriate regional director shall determine whether republication of the notice and/or extension of the comment period is necessary.

Factors considered in making such a determination shall include, but are not limited to: (I) the significance of the modification, and (ii) the degree of public interest which has been expressed over the course of the negotiations. As a minimum, the regional director shall furnish revised contracts to all parties who requested the contract in response to the initial public notice.

Acronym Definitions Used Herein

BON Basis of Negotiation
BCP Boulder Canyon Project
Reclamation Bureau of Reclamation
CAP Central Arizona Project
CUP Central Utah Project
CVP Central Valley Project
CRSP Colorado River Storage Project
D&MC Drainage and Minor Construction
FR Federal Register
IDD Irrigation and Drainage District
IDD Irrigation District
M&I Municipal and Industrial
NEPA National Environmental Policy Act
O&M Operation and Maintenance
P-SMBP Pick-Sloan Missouri Basin Program
PPR Present Perfected Right
RRA Reclamation Reform Act
R&B Rehabilitation and Betterment
SOD Safety of Dams
SRPA Small Reclamation Projects Act
WCUA Water Conservation and Utilization Act
WD Water District

Pacific Northwest Region: Bureau of Reclamation, 1150 North Curtis Road, Suite 100, Boise, Idaho 83706-1234, telephone 208-378-5346.