

Research Social Scientist, phone 970/226/9438, 4512 McMurry Avenue, Fort Collins, CO 80525-3400.

*Title:* Evaluation of visitor responses to recreation fee demonstration program.

*Bureau for number:* None.

*Frequency of collection:* On occasion.

*Description of the respondents:*

Individuals and households.

*Number of respondents:* 2,400.

*Estimated completion time:* 10 minutes.

*Burden estimate:* 400 hours.

Dated: February 10, 1999.

**Paul R. Schmidt,**

*Acting Assistant Director for Refuges and Wildlife.*

[FR Doc. 99-3656 Filed 2-12-99; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife

#### Environmental Statements; Notice of Intent Eastern Shore of Virginia/Wallkill River National Wildlife Refuges; New Jersey and New York

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

**ACTION:** Notice of Intent to prepare Comprehensive Conservation Plans and Associated Environmental Documents for the Eastern Shore of Virginia and Wallkill River National Wildlife Refuges.

**SUMMARY:** This notice advises the public that the U.S. Fish and Wildlife Service (Service) intends to gather information necessary to prepare two Comprehensive Conservation Plans (CCP) and environmental documents pursuant to the National Environmental Policy Act and its implementing regulations. One CCP will be prepared for Eastern Shore of Virginia National Wildlife Refuge, in Northampton County, Virginia. The second CCP will be prepared for the Wallkill River National Wildlife Refuge, located in Sussex County, New Jersey, and Orange County, New York. The Service is furnishing this notice in compliance with the National Wildlife Refuge System Administration Act of 1966, as amended (16 U.S.C. 668dd *et seq.*).

(1) To advise other agencies and the public of our intentions, and

(2) To obtain suggestions and information on the scope of issues to include in the environmental documents.

**DATES:** Inquire at the address below for dates of planning activity and due dates for comments regarding specific projects.

**ADDRESSES:** Address comments, questions and requests for more information to the following:

Refuge Manager, Eastern Shore of Virginia National Wildlife Refuge, 5003 Hallett Circle, Cape Charles, VA 23310, (757) 331-2760

Refuge Manager, Wallkill River National Wildlife Refuge, 1547 County Route 565, Sussex, NJ 07461, (973) 702-7266

**SUPPLEMENTARY INFORMATION:** By federal law, all lands within the National Wildlife Refuge System are to be managed in accordance with an approved CCP. The CCP guides management decisions and identifies refuge goals, long-range objectives, and strategies for achieving refuge purposes. The planning process will consider many elements including habitat and wildlife management, habitat protection and acquisition, public use, and cultural resources. Public input into this planning process is essential. The CCP will provide other agencies and the public with a clear understanding of the desired conditions for the Refuges and how the Service will implement management strategies.

The Service will solicit public input via open houses, public meetings, workshops, and written comments. Special mailings, newspaper articles, and announcements will inform people of the time and place of such opportunities for public input to the CCP.

The Eastern Shore of Virginia National Wildlife Refuge (NWR) includes 745 acres of wetland, forest, and grassland habitat. The 1,850 acre Fisherman Island NWR will be included with the Eastern Shore of Virginia CCP, since both Refuges are managed by the staff of the Eastern Shore of Virginia NWR. Comments on the protection of threatened and endangered species and migratory birds and the protection and management of their habitats will be solicited as part of the planning process. A draft CCP is planned for public review in April 2000.

The Wallkill River NWR currently consists of 3,851 acres of wetland and upland habitats. An additional 621 acres of uplands habitat, the former Army Training facility in Shawangunk, NY, Ulster County, will be transferred in whole or part by June 1999 and administered from the Wallkill NWR office. Comments on the protection of threatened and endangered species and migratory birds and the restoration and management of wetland and grassland habitats will be solicited as part of the CCP process. Additional land protection may also be considered in support of

these resources. A draft CCP is planned for public review in April 2000.

Review of these projects will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), NEPA Regulations (40 CFR Parts 1500-1508), other appropriate Federal laws and regulations, and Service policies and procedures for compliance with those regulations.

Dated: February 4, 1999.

**Ronald E. Lambertson,**

*Regional Director, U.S., Fish and Wildlife Service, Hadley, Massachusetts.*

[FR Doc. 99-3617 Filed 2-12-99; 8:45 am]

BILLING CODE 4310-55-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Receipt of an Application To Amend the Incidental Take Permit for the San Bruno Mountain Habitat Conservation Plan, San Mateo County, CA

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

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** This notice advises the public that the County of San Mateo and the cities of South San Francisco, Daly City, and Brisbane, California (Applicants), have applied to the Fish and Wildlife Service (Service) for an amendment to the San Bruno Mountain incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The proposed amendment would add the callippe silverspot butterfly (*Speyeria callippe callippe*), listed as endangered under the Act on December 5, 1997, to the Applicants' existing incidental take permit (PRT 2-9818), and would authorize take of the callippe silverspot butterfly incidental to development activities on San Bruno Mountain, San Mateo County, California as described in the San Bruno Mountain Habitat Conservation Plan (Plan). This permit was originally issued by the Service on March 4, 1983, and authorized incidental take of the federally endangered mission blue butterfly (*Icaricia icarioides missionensis*), federally endangered San Bruno elfin butterfly (*Callophrys mossii bayensis*), and federally threatened San Francisco garter snake (*Thamnophis sirtalis tetrataenia*) on San Bruno Mountain, California. This notice announces receipt of this permit amendment application and the availability of

associated documents, which include the original Plan, Environmental Assessment, and Implementing Agreement, and summary information provided by the Applicants regarding the current amendment request. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public.

**DATES:** Written comments should be received on or before March 18, 1999.

**ADDRESSES:** Send written comments to Mr. Wayne White, Field Supervisor, U.S. Fish and Wildlife Service, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Comments may be sent by facsimile to (916) 979-2744.

**FOR FURTHER INFORMATION CONTACT:** Ms. Lori Rinek or Mr. William Lehman, Fish and Wildlife Biologists, at the above address or call (916) 979-2129.

**SUPPLEMENTARY INFORMATION:**

**Document Availability**

Individuals wishing copies of the documents mentioned above should immediately contact the Service's Sacramento Fish and Wildlife Office at the above referenced address or by telephone at (916) 979-2710. Documents will also be available for public inspection, by appointment, during normal business hours at the above address.

**Background Information**

Section 9 of the Act and Federal regulation prohibit the "take" of species listed as endangered or threatened, respectively. Take is defined under the Act, in part, as to kill, harm, or harass a federally listed species. However, the Service may, under limited circumstances, issue permits to authorize "incidental take" of listed species. Incidental take is defined by the Act as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing permits for endangered species are found in 50 CFR 17.31. Regulations governing permits for threatened species are found in 50 CFR 17.32.

On March 4, 1983, the Service issued the County of San Mateo and the cities of South San Francisco, Daly City, and Brisbane a permit (PRT 2-9818) for incidental take of the mission blue butterfly, San Bruno elfin butterfly, and San Francisco garter snake during development activities on San Bruno Mountain, San Mateo County, California. The Plan, on which issuance of PRT 2-9818 was based, listed the callippe silverspot butterfly as a "Species of Concern," since it was then

not listed and afforded protection under the Act, but nevertheless treated the callippe silverspot butterfly as if the species was listed under the Act. At the time of issuance of the permit in 1983, the Service did not identify species not listed under the Act on the face of an incidental take permit, even when such a species was treated in a habitat conservation plan as if listed and protected under the Act.

The Plan was developed to implement a long-term strategy to conserve the three butterflies stated above, their host and larval plants, and the San Francisco garter snake on San Bruno Mountain and to minimize and mitigate the impact that development on San Bruno Mountain would have on these species. Conservation measures established by the Plan include: (1) Permanent preservation of butterfly habitat and ecological diversity through transfer of private lands on San Bruno Mountain to the public (the Plan protects 87 percent of the habitat of the mission blue butterfly, 93 percent of the habitat of the callippe silverspot butterfly and 100 percent of the habitat of the San Bruno elfin butterfly); (2) providing funding for the Plan through the assessment of development fees on the limited development allowed by the Plan on San Bruno Mountain; (3) protection and improvement of butterfly habitat through fencing, control of exotic plant species, and other measures; (4) regulation of construction activities to avoid unnecessary impacts to butterfly habitat; (5) ongoing monitoring and research of San Bruno Mountain's ecology and its associated Species of Concern; and (6) establishment of a manager to implement the Plan's conservation program. All of these measures applied to the callippe silverspot butterfly, which was then not listed under the Act, as well as to the federally listed species.

The callippe silverspot butterfly was listed by the Service as endangered on December 5, 1997 (62 FR 64306). One of the primary reasons cited by the Service for listing the butterfly was over-collection by insect collectors. Other factors cited include the threats of road and residential development, trampling of host plants by hikers and off-road vehicles, and application of herbicides and other chemical agents. Listing of the callippe silverspot butterfly under the Act provides the butterfly with regulatory protections against collecting and other threats.

As a result of this listing, incidental take of the callippe silverspot butterfly is prohibited under the Act unless such take is otherwise authorized. As explained above, the Plan addressed the

callippe silverspot butterfly as if it was listed under the Act; however, the species was not included in the list of species named on the incidental take permit. As a result, any taking of callippe silverspot butterflies on San Bruno Mountain Plan as a result of development activities would not be authorized under the Applicants' current permit. Consequently, the Applicants request this permit amendment to add the callippe silverspot butterfly to their incidental take permit. The Applicants also state in their permit application that the callippe silverspot butterfly was adequately addressed in the original Plan and that, consequently, amendments of the Plan and its supporting documents are unnecessary. In support of this, the Applicants cite statements from the Plan and Implementing Agreement that: (1) The Plan provides for the long-term reconciliation of the concerns of the parties regarding protection and enhancement of all the Plan's Species of Concern; (2) the Plan minimizes and mitigates the impacts of development on San Bruno Mountain's Species of Concern to the maximum extent practicable; and (3) no further mitigation or compensation will be required to provide for the conservation, protection, or enhancement of the San Bruno Mountain ecological community, including but not limited to its Species of Concern.

However, the original Plan did not address the problem of butterfly collecting on San Bruno Mountain. In light of this and the fact that collecting of callippe silverspot butterflies was a primary reason cited by the Service for listing the species, the Applicants have agreed to a new condition to protect the callippe silverspot butterfly and other federally listed butterflies inhabiting San Bruno Mountain. The Applicants will post signs at all major trailheads and other public access points to San Bruno Mountain stating that: (1) Federal law prohibits the collection of the mission blue butterfly, San Bruno elfin butterfly, and callippe silverspot butterfly; (2) San Bruno Mountain provides habitat for these species; and (3) collecting or harming endangered butterflies could result in civil or criminal penalties under the Act. Placement of the signs will be made a condition of the amended permit and their design will be developed by the Applicants in consultation with the Service.

In light of the above, the Service proposes to amend the Applicants' incidental take permit to add the callippe silverspot butterfly to the list of

covered species identified in the permit, and to authorize any take of the callippe silverspot butterfly that is incidental to development activities carried out in accordance with the Plan.

This notice is provided pursuant to section 10(c) of the Endangered Species Act and Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6). The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of these laws. If the Service determines that the requirements are met, the existing permit (PRT 2-9818) will be amended for the incidental take of the callippe silverspot butterfly. A final decision on amending the permit will be made no sooner than 30 days from the date of this notice.

Dated: February 9, 1999.

**Elizabeth H. Stevens,**

*Manager, California/Nevada Operations Office, Fish and Wildlife Service, Region 1, Sacramento, California.*

[FR Doc. 99-3616 Filed 2-12-99; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-090-1430-01; WYW-122540]

#### Realty Action; Direct Sale of Public Lands; Wyoming

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

**ACTION:** Notice of realty action; direct sale of public lands in Uinta County.

**SUMMARY:** The Bureau of Land Management has determined that the lands described below are suitable for public sale under section 203 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713:

#### Sixth Principal Meridian

T. 16 N., R. 115 W.,

Section 11, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The above lands aggregate 40 acres.

#### FOR FURTHER INFORMATION CONTACT:

Becky Heick, Realty Specialist, Bureau of Land Management, Kemmerer Field Office, 312 Highway 189 North, Kemmerer, Wyoming 83101, 307-828-4506.

**SUPPLEMENTARY INFORMATION:** The Bureau of Land Management proposes to sell the surface estate of the above land to Mr. Gino Foianini, an adjacent landowner, by direct sale, at fair market value. The disposal of this land will resolve an inadvertent trespass.

The proposed sale is consistent with the Kemmerer Resource Area Management Plan and would serve important public objectives which cannot be achieved prudently or feasibly elsewhere. The lands contain no significant public values. The planning document and environmental assessment covering the proposed sale are available for review at the Bureau of Land Management, Kemmerer Field Office, Kemmerer, Wyoming.

Conveyance of the above public lands will be subject to:

1. Reservation of a right-of-way to the United States for ditches and canals pursuant to the Act of August 30, 1890, 43 U.S.C. 945.

2. Reservation of all minerals pursuant to section 209(a) of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1719.

3. Existing rights of record including a right-of-way, WYE-02679, to Austin Reservoir and Canal for irrigation facilities; a right-of-way, WYE-016891, to Questar Gas Pipeline Company for an oil and gas pipeline; a right-of-way, WYC-063968, to Amoco Pipeline Company for an oil and gas pipeline; right-of-way, WYW-017230, to Pioneer Pipeline Company for an oil and gas pipeline; a right-of-way, WYW-77832, to Frontier Pipeline Company for an oil and gas pipeline; a right-of-way, WYW-88849, to Union Telephone Company for a telephone line; and a right-of-way, WYW-96321, to WorldComm, Inc. for a fiber optic line.

Pursuant to the authority contained in Section 4 of Executive Order 11990 dated May 24, 1977 (42 FR 26961), and the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713, 1718, 1719, this sale will be subject to a permanent restriction which constitutes a covenant running with the land for the purpose of protecting and preserving a wetland area. The land may not be used for the construction or placement of any buildings, structures, facilities, or other improvements, including fences, and that "new construction" on the land as defined in Section 7(b) of Executive Order 11990 is prohibited. The restriction applies to 1.4 acres, located in the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of section 11, T. 16 N., R. 115 W.

There will be a decrease of 40 federal acres within the Upper Ranch Allotment. The four AUMs associated with the 40 acre parcel will be transferred from federal ownership to private ownership. Mr. Gino Foianini has signed a waiver allowing for cancellation of the four federal AUMs from his grazing permit.

Upon publication of this notice in the **Federal Register**, the above described

land will be segregated from all forms of appropriation under the public land laws, including the general mining laws, except for leasing under the mineral leasing laws.

For a period of 45 days after issuance of this notice, interested parties may submit comments to the Field Manager, Kemmerer Field Office, Bureau of Land Management, 312 Hwy. 189 North, Kemmerer, WY 83101. Any adverse comments will be evaluated by the State Director who may sustain, vacate, or modify this realty action. In the absence of any objections, this proposed realty action will become final.

Dated: February 5, 1999.

**Jeff Rawson,**

*Field Manager.*

[FR Doc. 99-3580 Filed 2-12-99; 8:45 am]

BILLING CODE 4310-22-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CO-930-4214-010; COC-62718]

#### Proposed Withdrawal; Opportunity for Public Meeting; Colorado

February 5, 1999.

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture, Forest Service, has filed an application to withdraw approximately 22,000 acres of National Forest System lands for 10 years to allow the Forest Service administrative alternatives in managing these lands. This notice closes the lands to location and entry under the mining laws only, for up to two years. The lands remain open to mineral leasing, and to such forms of disposition as may by law be made of National Forest System lands.

**DATES:** Comments on this proposed withdrawal must be received on or before May 17, 1999.

**ADDRESSES:** Comments should be sent to the Colorado State Director, BLM, 2850 Youngfield Street, Lakewood, Colorado 80215-7076.

**FOR FURTHER INFORMATION CONTACT:** Doris E. Chelius, 303-239-3706.

**SUPPLEMENTARY INFORMATION:** On January 29, 1999, the Department of Agriculture, Forest Service, filed an application to withdraw the following described National Forest System lands from location and entry under the United States mining laws (30 U.S.C. Ch 2):