

will create incentives for the continued participation by beach management agencies and organizations involved in protecting piping plovers.

The two alternatives presented by the Division in the conservation plan and the draft EA are limited to the proposed action and the no-action alternative (continuation of current management recommendations without increased flexibility for limited take).

The proposed action establishes strict statewide and site-specific eligibility criteria that must be met prior to the implementation of the proposed Section 10 incidental take permit. Statewide eligibility requirements determine the level of take that will be allowed for each breeding season. Site-specific eligibility requirements determine whether a landowner may participate in permitted activities, and requires that these landowners make additional plover protection commitments, including the use of predator exclosures, prohibition of dogs, implementation of public outreach programs (for heavily-used public recreational beaches), and plover monitoring and reporting. The proposed permit would be effective during the 2000, 2001 and 2002 plover breeding seasons. Authorized take would only affect piping plovers; take of other federally-listed species is specifically excluded from the proposed action.

Incidental take likely to occur on eligible sites may result from several management activities outlined in the conservation plan. Certain activities will be automatically authorized statewide and at particular sites. Statewide activities automatically proposed to be authorized include the taking of chicks on paved or improved roads and in parking lots and take caused by fireworks located within one-half mile or more from plover nests or chicks. Additional proposed take automatically permitted at three sites includes: (1) Take from fireworks at Crane Beach, Ipswich; (2) take from unescorted essential vehicles on a specified portion of Crane's Beach; (3) take from unescorted vehicles on a specified portion of Plymouth Beach, Plymouth; and (4) take of chicks by unescorted vehicles on a specified portion of Sandy Neck, Barnstable.

Additional discretionary take may also be authorized at a limited number of sites that meet specific eligibility requirements. Landowners that choose

to undertake such actions may apply to be included under the Division's proposed permit that will authorize the incidental take. Proposed authorized activities are: (1) Reduction of symbolically-fenced buffer areas around plover nests, applicable to one plover nest per site per year; (2) moving eggs from heavily-used pedestrian or vehicle access points; (3) limited use of escorted off-road vehicle caravans for recreational access during periods when unfledged chicks are present on the beach; and (4) limited use of vehicles for homeowner access after dark through areas with unfledged chicks.

Take of piping plovers primarily will occur either through direct mortality of chicks, harassment of chicks or adults, or mortality of eggs that occurs as the result of nest abandonment or inadequate incubation or nest defense. As a result of these takings, overall reproductive success will be reduced at individual sites, and adverse effects may occur to immediate habitats of individuals pairs or broods. However, the level of incidental take likely to occur will not reduce productivity enough to substantially slow progress toward recovery. Take that occurs as a result of a permit issued to the Division will not include mortality of adults, nor will actions undertaken within the scope of such a permit permanently degrade otherwise suitable habitat.

The Division has proposed to minimize and monitor the level of incidental take through a number of measures. Continued population growth over the duration of the permit should be ensured by conditioning the authorization of discretionary incidental take on maintaining average productivity of 1.5 chicks fledged per pair for the entire state, individual Management Units and individual sites. If statewide productivity falls below 1.5 chicks fledged per pair, incidental take authorized for the following year will be limited. The conservation plan encompasses a sufficiently large geographic area that should some sites experience adverse effects from environmental or demographic stochasticity, unsuccessful management, or larger incidental take than predicted, those set-backs may be balanced by more favorable conditions or results of management elsewhere in the planning unit. Finally, the proposed permit duration of three years will allow for a relatively rapid evaluation of the

conservation plan in light of management results and changes in the overall status of the Massachusetts and New England plover populations that may occur in 2000, 2001 and 2002.

The 1996 Section 19(a)(1)(B) incidental take permit granted to the Division outlined eligibility requirements similar to those proposed in the current application. Due to a decrease in piping plover productivity in 1996, permit activities were not allowed to occur the following year in order to ensure the continued recovery of piping plovers in Massachusetts. Piping plover productivity also fell below the established eligibility criteria in 1997, again precluding the implementation of measures permitted in the 1996 Section 10 permit. The eligibility criteria proposed in the current Section 10(a)(1)(B) permit application provide a greater range of options than the previous permit. These options will allow greater flexibility to implement the portions of the proposed permit that will have the least impact on the recovery of the Massachusetts population of the piping plover.

Dated: May 11, 2000.

**Mamie Parker,**

*Deputy Regional Director, Region 5.*

[FR Doc. 00-12492 Filed 5-17-00; 8:45 am]

**BILLING CODE 4310-55-M**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Letters of Authorization To Take Marine Mammals**

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

**ACTION:** Notice of issuance of Letters of Authorization to take marine mammals incidental to oil and gas industry activities.

**SUMMARY:** In accordance with section 101(a)(5)(A) of the Marine Mammal Protection Act of 1972, as amended, and the U.S. Fish and Wildlife Service implementing regulations [50 CFR 18.27(f)(3)], notice is hereby given that Letters of Authorization to take polar bears and Pacific walrus incidental to oil and gas industry exploration, development, and production activities have been issued to the following companies:

Company	Activity	Date issued
BP Exploration (Prudhoe Bay Unit) .....	Production .....	April 21, 2000.
BP Exploration (Kuparuk Unit) .....	Production .....	April 21, 2000.
Western Geophysical (Anadarko) .....	Exploration .....	April 21, 2000.

Company	Activity	Date issued
BP Exploration (Northstar)	Development	May 3, 2000.
ARCO Alaska, Inc. (Meltwater North)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Spark # 1)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Rendezvous A&B)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Lookout A)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Moose's Tooth A&C)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Clover A&B)	Exploration	May 3, 2000.
ARCO Alaska, Inc. (Cairn)	Exploration	May 3, 2000.
Western Geophysical (ARCO)	Exploration	May 3, 2000.
Western Geophysical (BP Exploration)	Exploration	May 3, 2000.
Kuukpik/Fairweather Geophysical	Exploration	May 3, 2000.
BP Exploration (Point Thomson)	Exploration	May 3, 2000.

**FOR FURTHER INFORMATION CONTACT:** Mr. John W. Bridges at the U.S. Fish and Wildlife Service, Marine Mammals Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503, (300) 362-5148 or (907) 786-3810.

**SUPPLEMENTARY INFORMATION:**

Letters of Authorization were issued in accordance with U.S. Fish and Wildlife Service Federal Rules and Regulations "Marine Mammals; Incidental Take During Specified Activities (65 FR 16828; March 30, 2000)."

Dated: May 8, 2000.

**Mike Boylan,**

*Acting Deputy Regional Director.*

[FR Doc. 00-12527 Filed 5-17-00; 8:45 am]

**BILLING CODE 4310-55-M**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Indian Affairs**

**Notice of Final Agency Action To Take 90.94 Acres of Land, More or Less, Into Trust for the Lower Brule Sioux Tribe of Indians of South Dakota**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of intent to take land into trust.

**SUMMARY:** This provides notice that a final agency determination has been made to acquire 90.94 acres of land, more or less, into trust for the Lower Brule Sioux Tribe of Indians of South Dakota. The United States will acquire title no sooner than thirty days after this notice is published. This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.1 and pursuant to 25 CFR 151.12(b), 61 **Federal Register** 18082-18083, April 24, 1996.

**FOR FURTHER INFORMATION CONTACT:** Terrance L. Virden, Bureau of Indian Affairs, Director, Office of Trust Responsibilities, MS-4513/MIB/Code

200, 1849 C Street, NW, Washington, DC 20240; telephone (202) 208-5831.

**SUPPLEMENTARY INFORMATION:** On April 6, 2000, the Assistant Secretary—Indian Affairs made a final determination that the United States will accept 90.94 acres of land, more or less, in trust for the Lower Brule Sioux Tribe of Indians of South Dakota. It was determined that the acceptance of the following described land into trust, pursuant to 25 U.S.C. 465, would be in the best interest of the Lower Brule Sioux Tribe of Indians of South Dakota.

**Lyman County, South Dakota**

A portion of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) lying North of Highway No. 16 (shown as Lot H-1 in Book 3 of Plats, Page 108) and except Lot "A" of Lester's Addition (a subdivision of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-Four (24) and the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$ ) of Section Thirteen (13), the Northwest Quarter of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-Four (24), and the Northeast Quarter of the Northwest Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Twenty-Four (24), Township One Hundred Four North (104N), Range Seventy-Two West (72W) of the Fifth Principal Meridian, Lyman County, South Dakota.

Subject to any valid existing easements for public roads and highways, for public utilities and for railroads and pipelines and any other rights-of-way or reservations of record.

Dated: May 12, 2000.

**Kevin Gover,**

*Assistant Secretary—Indian Affairs.*

[FR Doc. 00-12585 Filed 5-17-00; 8:45 am]

**BILLING CODE 4310-02-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**[WY090-00-1310-EJ]**

**Notice of Availability of Final Environmental Impact Statement for the Pinedale Anticline Natural Gas Exploration and Development Project, and Proposed Amendment to the Pinedale Resource Management Plan**

**AGENCY:** Lead Agency—Bureau of Land Management, Interior. Cooperating Agencies—U.S. Forest Service, Department of Agriculture, Corps of Engineers, U.S. Army, State of Wyoming.

**ACTION:** Notice of Availability of Final Environmental Impact Statement (FEIS) for the Pinedale Anticline Natural Gas Exploration and Development Project, Sublette County, Wyoming, and Notice of 30-day protest period for proposed amendment to the Pinedale Resource Management Plan (RMP).

**SUMMARY:** The FEIS is an abbreviated FEIS. The FEIS and the Draft EIS (DEIS) comprise the entire document for filing purposes and for the decision making process. Please refer to the DEIS for more detailed analysis and description of the proposed action and alternatives. The FEIS contains 7 Sections. Section 1, Introduction; Section 2, Potential Management Scenario for Continued Exploration and Development; Section 3, Analysis of Revised Sales Gas Pipeline Alternatives; Section 4, Errata; Section 5, Comment Responses and Letters; Section 6, Responses to Environmental Group Notices and Alerts; and Section 7, Public Hearing Comments and Responses. BLM has identified the Resource Protection (RP) Alternative on Federal Lands and Minerals as its preferred alternative based on information contained in the DEIS, comments received during public scoping, and comments received on the DEIS. BLM considers the RP Alternative on All Lands and Minerals to be the environmentally preferred alternative.