

[FR Doc. 99-9087 Filed 4-12-99; 8:45 am]
BILLING CODE 4210-33-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV-033-99-1230-00-OHV1]

Temporary Closure of Public Lands: Nevada, Carson City District

AGENCY: Bureau of Land Management, Interior Department.

ACTION: Temporary closure of affected public lands in Lyon, Storey, Churchill, Carson, Douglas, Mineral and Washoe Counties on and adjacent to Off Highway Vehicle race course routes. Races are conducted at various times from May through November, 1999:

1. May 8 & 9, 1999: Virginia City Grand Prix—Permit Number NV-030-99504A.
2. May 30, 1999: Yerington 300 Desert Race—Permit Number NV-030-96510A.
3. June 6, 1999: Hungry Valley ORV Area—Permit Number NV-030-99028.
4. August 7, 1999: Top Gun Desert Race—Permit Number NV-030-96510B.
5. October 1, 1999: Vegas to Reno OHV Race—Permit Number (Pending).
6. October 31, 1999: Wassuks Motorcycle Race—Permit Number (Pending).
7. November 14, 1999: Dead Camels Race—Permit Number NV-030-99504B.
8. November 28, 1999: Prison Hill ORV Area—Permit Number (Pending).

SUMMARY: The Assistant Manager, Non-Renewable Resources announces the temporary closure of selected public lands under her administration. This action is taken to provide for public safety and to protect adjacent resources.

EFFECTIVE DATES: Listed above. Events may be cancelled or rescheduled.

FOR FURTHER INFORMATION CONTACT: Fran Hull, Outdoor Recreation Planner, Carson City District, Bureau of Land Management, 5665 Morgan Mill Road, Carson City, Nevada 89701, Telephone: (775) 885-6161.

SUPPLEMENTARY INFORMATION: Bureau lands to be closed to public use include the width and length of those roads and trails identified as the race route by colorful flagging and directional arrows attached to wooden stakes. A map of each closure area may be obtained at the contact address. The event permittees are required to clearly mark and monitor the event routes during the closure periods. Closure period is from 6:00 a.m. race day until race finish. Spectator and support vehicles may be driven on open roads only and may observe the

races from safe locations as directed by event and BLM officials.

Exemptions: Closure restrictions do not apply to race officials, medical/rescue, law enforcement and agency personnel monitoring the event.

Authority: 43 CFR 8364 and 43 CFR 8372.

Penalty: Any person failing to comply with the closure orders may be subject to imprisonment for not more than 12 months, or a fine in accordance with the applicable provisions of 18 USC 3571, or both.

Dated: March 31, 1999.

Margaret L. Jensen,

Assistant Manager, Non-renewable Resources.

[FR Doc. 99-9094 Filed 4-12-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-034-99-5440-00-CO23; COC61945, COC61357, COC61209]

DEPARTMENT OF AGRICULTURE

Forest Service

Notice of Intent

AGENCY: Bureau of Land Management, Interior; Forest Service, Agriculture.

Responsible Officials:

Ann Morgan, State Director, Colorado State Office, Bureau of Land Management, 2850 Youngfield, Denver, CO 80215.

Robert L. Storch, Forest Supervisor, Grand Mesa, Uncompahgre and Gunnison National Forests, U.S. Forest Service, 2250 US Hwy 50, Delta, CO 81416.

ACTION: Notice of Intent and Notice of Scoping to prepare an Environmental Impact Statement (EIS) on lease and exploration license applications for Federal coal in Delta and Gunnison Counties, Colorado.

SUMMARY: The Bureau of Land Management (BLM) and the Forest Service (FS) will direct preparation of a third-party Environmental Impact Statement (EIS) to document the analysis and disclose the environmental effects of proposed actions to offer the Iron Point and Elk Creek Coal Lease Tracts for competitive bidding and the Iron Point Coal Exploration license for exploration drilling in accordance with 43 CFR parts 3425 and part 3410. The BLM will be the lead agency for preparation of the EIS and the FS will be a joint lead agency. The Office of

Surface Mining Reclamation and Enforcement (OSM) will participate as a cooperating agency.

The original application for coal lease was filed in August 1997 by Bowie Resources Limited (Bowie) requesting the BLM to offer for competitive lease for approximately 3,403.27 acres of federal coal in Delta County, Colorado. It was designated the Iron Point Tract. In December 1997, the BLM received a competitive lease application from Oxbow Mining, Inc. (Oxbow), requesting for competitive lease approximately 3,702.81 acres of federal coal in Delta and Gunnison Counties, Colorado. The Tract delineation by the Uncompahgre Field Office resulted in the addition of 160 acres of federal coal for a total of 3,862.81 acres. This tract was designated the Elk Creek Tract. In addition, Bowie Resources, LTD submitted an application for a coal exploration license on unleased lands adjacent to the above coal lease application areas. The exploration lands contain approximately 6,053.00 acres. Lands affected by these applications are managed by both the BLM and Forest Service.

Separate Environmental Assessments (EA) were completed on the two lease applications, but not on the exploration license. As part of the NEPA public process, the BLM and USFS subsequently determined that the requirements of NEPA would be best served by preparing a single EIS for these coal applications.

DATES: The public has the opportunity to submit written comments on concerns or issues that the Agencies should address in processing these coal applications. The Agencies will accept written comments on the scope of analyses for the application areas at the address given below. Comments should be submitted by May 17, 1999, in order to be considered in the draft EIS. A public scoping meeting will be held April 21, 1999 at the Hotchkiss High School, 3535J 60 Lane, Hotchkiss, CO at 7:00 pm. At this time, it is estimated that a Draft EIS will be available in mid August 1999 and a Final EIS will be available in mid December 1999.

ADDRESSES: Please address questions, comments, or concerns on the EIS to the Bureau of Land Management, Attn: Jerry Jones, 2465 South Townsend Ave., Montrose, CO, 81401, or fax them to 970-240-5368.

FOR FURTHER INFORMATION CONTACT: Jerry Jones at the above address, or phone: 970-240-5338.

SUPPLEMENTARY INFORMATION: In August of 1997, Bowie filed coal lease application COC61209 (Iron Point Tract)

requesting BLM offer federal coal for competitive lease. This application was later amended to reduce the acreage, but the original application was for the following lands:

- T. 12 S., R. 91 W., 6th P.M.
 Sec. 33, lots 1 to 16, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 34, lots 1 to 16, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$.
 T. 13 S., R. 91 W., 6th P.M.
 Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 3, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 4, lots 1 to 4, inclusive, S $\frac{1}{2}$ N $\frac{1}{2}$, and S $\frac{1}{2}$;
 Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 8, NE $\frac{1}{4}$;
 Sec. 9, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
 containing 3,403.27 +/- acres, with an estimated 26.3 million tons of recoverable coal. The coal resource within the Iron Point tract is limited to coal recoverable by underground mining methods.

In December of 1997, Oxbow filed coal lease application COC61357, (Elk Creek Tract), requesting the BLM offer for competitive lease federal coal in the lands described as:

- T. 12 S., R. 90 W., 6th P.M.
 Sec. 31, lots 1 to 14, inclusive, and NE $\frac{1}{4}$;
 Sec. 32, lots 3 to 6, inclusive, lots 11 to 14, inclusive, and NW $\frac{1}{4}$.
 T. 12 S., R. 91 W., 6th P.M.
 Sec. 35, lots 1, 2, and 4 to 8, inclusive, 13 to 16, inclusive, lots 21, 22, and that part of HES No. 134 lying in the NE $\frac{1}{4}$;
 Sec. 36, lots 1 to 17, inclusive, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and that part of HES No. 134 lying in lot 1.
 T. 13 S., R. 90 W., 6th P.M.
 Sec. 5, lots 7 to 10, inclusive;
 Sec. 6, lots 8 to 17, inclusive.
 T. 13 S., R. 91 W., 6th P.M.
 Sec. 1, lots 1 to 4, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 2, lot 1, and S $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 12, S $\frac{1}{2}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$.
 containing 3,862.81 +/- acres with approximately 21 million tons of recoverable coal. The coal resource to be offered for lease is limited to coal recoverable by underground mining methods.

In May of 1998, Bowie filed a coal exploration license application, (COC61945), with the BLM. The Iron Point Exploration License contains unleased coal deposits owned by the United States of America in the following described lands in Delta County, Colorado.

- T. 12 S., R. 91 W., 6th P.M.
 Sec. 14, lots 7, 8, S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, S $\frac{1}{2}$;
 Sec. 23, lots 1 to 7, inclusive, W $\frac{1}{2}$, and that part of HES No. 133 lying in the S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, lots 1 to 5, inclusive, W $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and that part of HES No. 133 lying in the NE $\frac{1}{4}$;
 Sec. 27, all;

- Sec. 28, S $\frac{1}{2}$;
 Sec. 29, SE $\frac{1}{4}$;
 Sec. 32, lots 1, 2, 7 to 10, inclusive, lots 15, 16, and NE $\frac{1}{4}$;
 Sec. 33, lots 1 to 16, inclusive, and N $\frac{1}{2}$;
 Sec. 34, lots 1 to 16, inclusive, and N $\frac{1}{2}$;
 Sec. 35, lots 3, and 7 to 22, inclusive, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, that part of HES No. 134 and that part of lots 4 to 6, inclusive, lying in the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$.

The area described contains approximately 6,053.00 +/- acres.

These applications encompass federal coal on BLM and Gunnison National Forest lands. Additions and/or deletions to the delineated tracts may be considered as alternatives to the proposed action. Alternatives will be developed and analyzed based on issues and management needs.

Bowie and Oxbow applied to the BLM for the Iron Point and Elk Creek coal lease tracts respectfully to extend the production life of their existing underground mines. Similarly, Bowie applied to the BLM for an exploration license to further delineate to coal resource in lands adjacent to their ongoing mining. The requested Iron Point tract and the exploration license area are adjacent to the presently approved permit area for the Bowie No. 2 Mine which is operated by Bowie. Likewise, the requested Elk Creek tract is adjacent to the presently approved permit area for the Sanborn Creek Mine which is operated by Oxbow.

If the Iron Point and Elk Creek tracts are leased, the coal would be mined by underground techniques. Both Bowie and Oxbow have existing surface portal facilities which are located on private property controlled by the companies and which would continue to be used for any future extraction of coal from the subject lease tracts. Both companies plan for upgrades to their existing surface facilities. Bowie plans for the installation of a new conveyor system and coal storage area to replace an existing truck haul road. Oxbow would construct a new portal pad and drive new entries to access the Elk Creek tract. This portal pad is on private land and is immediately adjacent to the Oxbow surface facilities.

If another company is a successful bidder for either tract, it is likely that new surface facilities may be required. Regardless of what company obtains the subject lease tracts, underground mining methods would be needed to extract the coal.

The EIS will consider the mining plans as proposed by Bowie and Oxbow, the no-action alternative, the possibility of other companies obtaining and developing operations to extract coal from the subject lease tracts, and other

alternatives. The analysis will also consider mitigation developed during the process. The development of alternatives will occur after the completion of project scoping.

The Bureau of Land Management must decide whether or not to approve the coal applications and if so identify special stipulations needed to protect the mineral and non-mineral resources. In accordance with the Coal Leasing Amendments Act of 1976, which amended the Mineral Leasing Act of 1920, the Forest Supervisor for the Grand Mesa, Uncompahgre and Gunnison National Forest, must decide whether or not to consent to leasing by the Bureau of Land Management and if so identify special stipulations needed to protect non-mineral resources on National Forest lands.

OSM will be a cooperating agency in the preparation of the EIS. If the tracts are leased to the applicants, the new leases must be incorporated into the existing mining plans of Oxbow and Bowie and the Secretary of the Interior must approve the revised mining plan before the Federal coal in the tract can be mined. OSM is the Federal agency that would be responsible for recommending approval, approval with conditions, or disapproval of the revised mining plan to the Secretary if the tracts are leased.

A tentative list of permits or licenses that may be required to mine the coal resources is listed below:

- Bureau of Land Management
 - Plan of Operations (mining and exploration)
 - Special use permits (Right-of-Ways, etc.)
- Forest Service
 - Plan of Operations (mining and exploration)
 - Special use permits (Right-of-Ways, etc.)
- U.S. Army Corps of Engineers
 - Section 404 Permit
- Environmental Protection Agency
 - Spill Prevention Control and Countermeasure (SPCC) Plan
 - Review of Section 404 permit
 - Notification of Hazardous Waste Activity
- U.S. Fish and Wildlife Service
 - Threatened and Endangered Species Consultation
- Treasury Department (Dept. of Alcohol, Tobacco and Firearms)
 - Explosives User Permit
- Mines Safety and Health Administration
 - Mine Identification Number
 - Legal Identity Report
 - Miner Training Plan Approval
 - Ventilation Plan Approval
 - Ground Control Plan

Office of Surface Mining
Mining Plan Concurrence
Colorado Department of Minerals and
Geology
Exploration Permit
Mining and Reclamation Permit
Colorado Department of Public Health &
Environment—Air Pollution
Control Division
Permit to Construct
Permit to Operate
Colorado Department of Public Health &
Environment—Water Quality
Control Division
Stormwater Discharge Permit
National Pollutant Discharge
Elimination System (NPDES)
Colorado State Engineer
Water Rights
Water Well Permits
Dam Safety Permits
Colorado State Historic Preservation
Office
Historic and Archaeological Review
Colorado Department of Transportation
Highway Access
Delta County
Special Use Permit
Building Permit
Gunnison County
Special Use Permit
Building Permit

There are four underground coal mines (Bowie No. 1 (inactive), Bowie No. 2, Sanborn Creek, and West Elk) located east of Paonia, Colorado, in Delta and Gunnison Counties. Several issues related to these applications were identified during the initial scoping for the EA's in 1998, including the potential impacts to water rights, surface and ground water, agricultural lands, wildlife habitat, noise, train and truck traffic, socio-economics, and access to public lands that may occur if these applications are issued. If you have specific concerns about these issues, or have other concerns or issues that BLM should consider in processing these applications, please address them in writing to the above address. Written comments should be received by May 17, 1999, in order to be fully considered in the draft EIS.

Please note that your comments, name, address, and any other personal information you provide will become part of the public record and will be available for public review. You may request confidentiality by clearly stating your request at the beginning of your comment. The agencies will consider withholding your name, address and any other personal identifying information on a case-by-case basis to the extent allowed by law. Submissions from organizations, businesses, and individuals identifying themselves as representatives or officials of

organizations or businesses will be made part of the public record.

The comment period on the Draft EIS will be sixty (60) days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**. (Now anticipated to be in mid August.) At this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions, *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the Draft EIS stage but that are not raised until after completion of the Final EIS may be waived or dismissed by the courts, *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (e.d. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the comment period so that substantive comments and objections are made available to the agencies at a time when they can meaningfully consider them and respond to them. To assist the agencies in identifying and considering issues and concerns on the proposed action, comments on the Draft EIS should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the Draft EIS or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: April 7, 1999.

Jerald L. Jones,

EIS Project Manager, Uncompahgre Field Office.

Thomas Condos,

Forest Engineer, Grand Mesa, Uncompahgre and Gunnison National Forests.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-030-99-1010-00-1784]

Southwest Resource Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice; Resource Advisory Council Meeting.

SUMMARY: Notice is hereby given that the Southwest Resource Advisory Council (Southwest RAC) will meet in Dolores, Colorado.

DATES: The meeting will be held on Thursday, May 13, 1999.

ADDRESSES: For additional information, contact Roger Alexander, Bureau of Land Management (BLM), Southwest Center, 2465 South Townsend Avenue, Montrose, Colorado 81401; telephone 970-240-5335; TDD 970-240-5366; e-mail r2alexan@co.blm.gov.

SUPPLEMENTARY INFORMATION: The May 13, 1999, meeting will begin at 9:00 a.m. at BLM's Anasazi Heritage Center, 27501 Highway 184, Dolores, Colorado. The agenda will focus on proposed statewide recreation guidelines for BLM administered public lands. Public comment is scheduled for 1:00 p.m.

All Resource Advisory Council meetings are open to the public. Interested persons may make oral statements to the Council, or written statements may be submitted for the Council's consideration. If necessary, a per-person time limit may be established by the Southwest Center Manager.

Summary minutes for Council meetings are maintained in the Southwest Center Office and on the World Wide Web at http://www.co.blm.gov/mdo/mdo_sw_rac.htm and are available for public inspection and reproduction within thirty (30) days following each meeting.

Dated: March 25, 1999.

Roger Alexander,

Public Affairs Specialist.

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