

the Service's Regional Safe Harbor Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345, or Field Supervisor, U.S. Fish and Wildlife Service, Ecological Services Field Office, 646 Cajundome Boulevard, Suite 400, Lafayette, Louisiana 70506. Alternatively, you may set up an appointment to view these documents at either location during normal business hours. Written data or comments should be submitted to the Atlanta, Georgia, Regional Office. Requests for the documentation must be in writing to be processed, and comments must be in writing to be considered.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Gooch, Regional Safe Harbor Program Coordinator at the Service's Southeast Regional Office (see **ADDRESSES** above), telephone (404) 679-7124; or Mr. Troy Mallach, Fish and Wildlife Biologist, Lafayette Ecological Services Field Office (see **ADDRESSES** above), telephone (337) 291-3123.

SUPPLEMENTARY INFORMATION: Under a Safe Harbor Agreement, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefitting species listed under the Act. Safe Harbor Agreements encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring property owners they will not be subjected to increased property use restrictions if their efforts attract listed species to their property or increase the numbers or distribution of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through Safe Harbor Agreements are found in 50 CFR 17.22 and 17.32.

The LDWF's proposed state-wide Agreement is designed to encourage voluntary RCW habitat restoration or enhancement activities by relieving a landowner who enters into a landowner-specific agreement (the SHMA) from any additional responsibility under the Act beyond that which exists at the time he or she enters into the program. The SHMA will identify any existing RCWs and any associated habitat (the baseline) and will describe the actions that the landowner commits to take (e.g., hardwood midstory removal, cavity provisioning, *etc.*) or allows to be taken to improve RCW habitat on the property, and the time period within which those actions are to be taken and maintained. A participating landowner must maintain the baseline on his/her property (*i.e.*, any existing RCW groups

and/or associated habitat), but may be allowed the opportunity to incidentally take RCWs at some point in the future if above baseline RCWs are attracted to that site by the proactive management measures undertaken by the landowner. It is important to note that the Agreement does not envision, nor will it authorize, incidental taking of any existing RCW group with one exception. This exception is incidental taking related to a baseline shift; in this circumstance the baseline will be maintained but redrawn or shifted on that landowner's property. Among the minimization measures proposed by the Applicant are no incidental take of RCWs during the breeding season, consolidation of small, isolated RCW populations at sites capable of supporting a viable RCW population, and measures to improve current and potential habitat for the species. Further details on the topics described above are found in the aforementioned documents available for review under this notice.

The geographic scope of the Applicant's Agreement is the entire State of Louisiana, but the Agreement would only authorize the future incidental take of above-baseline RCW groups on lands for which a respective CI has been signed. Lands potentially eligible for inclusion include all privately owned lands, state lands, and public lands owned by cities, counties, and municipalities, with potentially suitable RCW habitat in Louisiana.

We have evaluated several alternatives to the proposed action and these are described at length in the accompanying Environmental Assessment. The alternative of our paying landowners for desired management practices is not being pursued because we are presently unable to fund such a program. An alternative by which interested private or non-Federal property owners would prepare an individual permit application/Agreement with us also was evaluated. Under that alternative, we would process each permit application/Agreement individually. This would increase the effort, cost, and amount of time it would take to provide safe harbor assurances to participating landowners and then such benefits would be applied on a piece-meal, individual basis. We have determined the previously identified alternatives, which would result in delays and lack of a coordinated effort, would likely result in a continued decline of the RCWs on private lands due to habitat fragmentation, lack of beneficial habitat management, and the effects of demographic isolation. A no action alternative was also explored, but this

alternative is not likely to increase the number of RCW groups or RCW habitat, nor would it alleviate landowner conflicts. Instead, the action proposed here, although it authorizes future incidental take, is expected to attract sufficient interest among Louisiana landowners to generate substantial net conservation benefits to the RCW on a landscape level. The Applicant's Agreement was developed in an adaptive management framework to allow changes in the program based on new scientific information including, but not limited to, biological needs and management actions proven to benefit the species or its habitat.

We provide this notice pursuant to section 10(c) of the Endangered Species Act and pursuant to implementing regulations for the National Environmental Policy Act (40 CFR 1506.6). We will evaluate the proposed Agreement, associated documents, and comments submitted thereon to determine whether the requirements of section 10(a) of the Endangered Species Act and National Environmental Policy Act regulations have been met. If we determine that the requirements are met, we will issue an enhancement of survival permit under section 10(a)(1)(A) of the Act to the Applicant in accordance with the terms of the Agreement and specific terms and conditions of the authorizing permit. We will not make our final decision until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

Dated: June 22, 2004.

Sam D. Hamilton,

Regional Director.

[FR Doc. 04-16912 Filed 7-23-04; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK963-1410-HY-P; AA-6649-B, AA-6649-E, AA-6649-A2; ALA-2]

Alaska Native Claims Selection

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of decision approving lands for conveyance.

SUMMARY: As required by 43 CFR 2650.7(d), notice is hereby given that an appealable decision approving lands for conveyance pursuant to the Alaska Native Claims Settlement Act will be issued to Atxam Corporation. The lands, containing approximately 13,866 acres, are located in Seward Meridian, in the

vicinity of Atka, Alaska, within the townships and ranges listed below:

T. 52 S., R. 72 W., Seward Meridian (SM)
Tps. 75 and 76 S., R. 121 W., SM
T. 91 S., Rs. 176 and 177 W., SM
T. 93 S., Rs. 177 and 179 W., SM

Notice of the decision will also be published four times in the *Anchorage Daily News*.

DATES: The time limits for filing an appeal are:

1. Any party claiming a property interest which is adversely affected by the decision shall have until August 23, 2004 to file an appeal.

2. Parties receiving service of the decision by certified mail shall have 30 days from the date of receipt to file an appeal.

Parties who do not file an appeal in accordance with the requirements of 43 CFR Part 4, Subpart E, shall be deemed to have waived their rights.

ADDRESSES: A copy of the decision may be obtained from: Bureau of Land Management, Alaska State Office, 222 West Seventh Avenue, #13, Anchorage, Alaska 99513-7599.

FOR FURTHER INFORMATION CONTACT:

Barbara Waldal, by phone at 907-271-5669, or by e-mail at Barbara_Waldal@ak.blm.gov. Persons who use a telecommunication device (TTD) may call the Federal Information Relay Service (FIRS) on 1-800-877-8330, 24 hours a day, seven days a week, to contact Ms. Waldal.

Barbara Opp Waldal,

Land Law Examiner, Branch of Adjudication I.

[FR Doc. 04-16875 Filed 7-23-04; 8:45 am]

BILLING CODE 4310-SS-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-030-1640-PD]

Emergency Closure of Public Land, Sierra County, NM

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of emergency closure.

SUMMARY: Notice is hereby given that effective immediately, the Las Cruces Field Office is implementing the emergency closure of certain public land located in Sierra County, New Mexico. The area is closed to all public use except for administrative purposes. This action is taken in order to protect public health and safety and to prevent resource degradation in the area of a plane crash site. The following public land is affected by the closure:

T. 11 S., R. 6 W., NMPM
Section 14, SW¼;
Section 15, that portion south of Sierra County Road 16;
Section 22, All;
Section 23, W½
Section 26, NW¼;
Section 27, N½.

DATES: This closure is effective immediately and shall remain in effect for one year.

ADDRESSES: Bureau of Land Management, Las Cruces Field Office, 1800 Marquess, Las Cruces, New Mexico, 88005.

FOR FURTHER INFORMATION CONTACT:

Leonard T. Brooks, Assistant Field Manager, Division of Multi-Resources, or John Besse, Environmental Protection Specialist, at the address above or by calling (505) 525-4300.

SUPPLEMENTARY INFORMATION: Violation of this closure is punishable by a fine not to exceed \$1,000 and/or imprisonment not to exceed 1 year. Copies of this closure order and maps showing the location of the affected area are available at the Las Cruces Field Office, during normal business hours, Monday through Friday, 7:45 a.m. to 4:30 p.m.

Authority: 43 CFR 8364.1: Closure and Restriction Orders.

Dated: April 15, 2004.

Jim C. McCormick, Jr.,

Acting Field Manager, Las Cruces.

[FR Doc. 04-16880 Filed 7-23-04; 8:45 am]

BILLING CODE 4310-VC-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-060-1320-EL; WYW150210]

Notice of Availability (NOA) of the Record of Decision for the South Powder River Basin Coal Final Environmental Impact Statement (FEIS), NARO North LBA Tract, Wyoming

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA) of 1969, the Bureau of Land Management (BLM) announces the availability of the Record of Decision (ROD) for the South Powder River Basin Coal FEIS; NARO North LBA Tract.

ADDRESSES: The document will be available electronically on the following Web site: <http://www.wy.blm.gov/>. Copies of the ROD are available for public inspection at the following BLM office locations:

- Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009.

- Bureau of Land Management, Casper Field Office, 2987 Prospector Drive, Casper, Wyoming 82604.

FOR FURTHER INFORMATION CONTACT: Mr. Bob Janssen, Wyoming Coal Coordinator, at (307) 775-6206; or Ms. Mavis Love, Land Law Examiner, at (307) 775-6258. Both Mr. Janssen's and Ms. Love's offices are located at the BLM Wyoming State Office, 5353 Yellowstone Road, Cheyenne, Wyoming 82009.

SUPPLEMENTARY INFORMATION: As stated in the FEIS, a ROD will be issued for each of the five Federal coal tracts considered for leasing in the South Powder River Coal FEIS. The ROD covered by this NOA is for coal tract NARO North (WYW150210) and addresses leasing an estimated 323 million tons of in-place Federal coal administered by the BLM Casper Field Office underlying approximately 651 acres of private surface and 1,719 acres of Federal surface in Campbell County, Wyoming.

Because the Assistant Secretary of the Interior, Lands and Minerals Management, has concurred in this decision it is not subject to appeal to the Interior Board of Land Appeals, as provided in 43 CFR part 4. This decision is the final action of the Department of the Interior.

Dated: June 7, 2004.

Robert A. Bennett,
State Director.

[FR Doc. 04-17090 Filed 7-23-04; 8:45 am]

BILLING CODE 4310-22-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-920-1310-01; WYW135231]

Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Proposed Reinstatement of Terminated Oil and Gas Lease.

SUMMARY: Under the provisions of 30 U.S.C. 188(d) and (e), and 43 CFR 3108.2-3(a) and (b)(1), the Bureau of Land Management (BLM) received a petition for reinstatement of oil and gas lease WYW135231 for lands in Johnson County, Wyoming. The petition was filed on time and was accompanied by