

from 15 January to 15 May of any year if the nest is not successful.

Approval of the HCP may qualify as a categorical exclusion under NEPA, as provided by the Departmental Manual (516 DM 2, Appendix 1, and 516 DM 6, Appendix 1) and as a "low effect" plan as defined by the Habitat Conservation Planning Handbook (Service, November 1996). Determination of low effect HCPs is based upon the plan having: Minor or negligible effects on federally-listed, proposed, and candidate species and their habitats; minor or negligible effects on other environmental values or resources; and impacts that considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects would not result, over time, in cumulative effects to the environmental values or resources which would be considered significant. If it is found to qualify as a low-effect HCP, further NEPA documentation would not be required.

Public Review and Comment

If you wish to comment on the permit application, draft Environmental Action Statement or the proposed HCP, you may submit your comments to the address listed in the ADDRESSES section of this document. We will evaluate this permit application, associated documents, and comments submitted thereon to determine whether the permit application meets the requirements of section 10(a) of the Act and NEPA regulations. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, are available for public inspection in their entirety. If we determine that the requirements are met, we will issue an incidental take permit under section 10(a)(1)(B) of the Act to the Applicants for the take of the bald eagle, incidental to otherwise lawful activities in accordance with the terms of the 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.

Pursuant to an order issued on June 10, 2004, by the District Court for the

District of Columbia in *Spirit of the Sage Council v. Norton*, Civil Action No. 98-1873 (D. D.C.), the Service is enjoined from issuing new section 10(a)(1)(B) permits or related documents containing "No Surprises" assurances, as defined by the Service's "No Surprises" rule published at 63 FR 8859 (February 23, 1998), until such time as the Service adopts new permit revocation rules specifically applicable to section 10(a)(1)(B) permits in compliance with the public notice and comment requirements of the Administrative Procedures Act. This notice concerns a step in the review and processing of a section 10(a)(1)(B) permit and any subsequent permit issuance will be in accordance with the Court's order. Until such time as the June 10, 2004, order has been rescinded or the Service's authority to issue permits with "No Surprises" assurances has been otherwise reinstated, the Service will not approve any incidental take permits or related documents that contain "No Surprises" assurances.

The Service provides this notice pursuant to section 10(c) of the Act and pursuant to implementing regulations for NEPA (40 CFR 1506.6).

Dated: November 2, 2004.

Daniel H. Diggs,

Acting Deputy Regional Director, Fish and Wildlife Service, Portland, Oregon.

[FR Doc. 04-26418 Filed 11-29-04; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Intent To Prepare Comprehensive Conservation Plan and Environmental Assessment for the Lacreek National Wildlife Refuge Complex, Martin, SD

AGENCY: Fish and Wildlife Service, Department of the Interior.

ACTION: Notice of intent.

SUMMARY: The U.S. Fish and Wildlife Service intends to gather information necessary to prepare a Comprehensive Conservation Plan and associated environmental documents for the Lacreek National Wildlife Refuge Complex located in South Dakota. The Service is issuing this notice in compliance with its policy to advise other organizations and the public of its intentions and to obtain suggestions and information on the scope of issues to be considered in the planning process.

DATES: Written comments should be received by January 1, 2005.

ADDRESSES: Comments and request for more information should be sent to: Lacreek NWR Planning Project, HC5 Box 114, Martin, South Dakota 57551.

FOR FURTHER INFORMATION CONTACT: Linda Kelly, Refuge Planner, Division of Refuge Planning, P.O. Box 25486, DFC, Denver, Colorado 80225; (303) 236-8132.

SUPPLEMENTARY INFORMATION: The Service has initiated comprehensive conservation planning for the management of its natural resources. The complex consists of Bear Butte NWR, located southeast of Sturgis, South Dakota, and Lacreek NWR and Wetland Management District located near Martin, South Dakota in the southwestern part of the state.

Comprehensive planning will develop management goals, objectives, and strategies to carry out the purposes of the Complex's refuges and Wetland Management District, and comply with laws and policies governing refuge management and public use of refuges. Opportunities will be provided for public input at open houses to be held near Lacreek and Bear Butte Refuges.

All information provided voluntarily by mail, phone, or at public meetings becomes part of the official public record (*i.e.* names, addresses, letters of comment, input recorded during meetings). If requested under the Freedom of Information Act by a private citizen or organization, the Service may provide copies of such information. The environmental impact assessment of this project 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 1500-1508), other appropriate Federal laws and regulations, Executive Order 12996, and the National Wildlife Refuge System Improvement Act of 1997, and Service policies and procedures for compliance with those regulations.

Dated: October 15, 2004.

Sharon R. Rose,

Acting Regional Director, Region 6, Denver, Colorado.

[FR Doc. 04-26422 Filed 11-29-04; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-920-1320-EL, WYW150210]

Notice of Competitive Coal Lease Sale Roffer, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Competitive Coal Lease Sale Reoffer.

SUMMARY: Notice is hereby given that certain coal resources in the NARO North Tract described below in Campbell County, WY, will be reoffered for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 *et seq.*).

DATES: The lease sale reoffer will be held at 10 a.m., on Wednesday, December 29, 2004. Sealed bids must be submitted on or before 4 p.m., on Tuesday, December 28, 2004.

ADDRESSES: The lease sale reoffer will be held in the First Floor Conference Room (Room 107), of the Bureau of Land Management (BLM) Wyoming State Office, 5353 Yellowstone Road, P.O. Box 1828, Cheyenne, WY 82003. Sealed bids must be submitted to the Cashier, BLM Wyoming State Office, at the address given above.

FOR FURTHER INFORMATION CONTACT: Mavis Love, Land Law Examiner, or Robert Janssen, Coal Coordinator, at 307-775-6258, and 307-775-6206, respectively.

SUPPLEMENTARY INFORMATION: This coal lease sale reoffer is being held in response to a lease by application (LBA) filed by Powder River Coal Company of Gillette, WY. The NARO North Tract was previously offered on August 31, 2004, and the one bid received at that sale was rejected because it did not meet the BLM's estimate of fair market value. The coal resources to be reoffered consist of all reserves recoverable by surface mining methods in the following-described lands located in southeastern Campbell County approximately 6 miles east of State Highway 59, 10 miles south of State Highway 450, and adjacent to the Piney Canyon and Antelope County Roads:

- T. 42 N., R. 70 W., 6th PM, Wyoming
 - Sec. 28: Lots 5-16;
 - Sec. 29: Lots 5-16;
 - Sec. 30: Lots 9-20;
 - T. 42 N., R. 71 W., 6th P.M, Wyoming
 - Sec. 25: Lots 5-15;
 - Sec. 26: Lots 7-10;
 - Sec. 35: Lots 1, 2, 7-10, 15, 16.
- Containing 2,369.38 acres, more or less.

The tract is adjacent to Federal and State of Wyoming coal leases to the south held by the North Antelope Rochelle Mine. It is also adjacent to additional unleased Federal coal to the east, north, west, and southwest.

All of the acreage offered has been determined to be suitable for mining. Features such as the county roads and pipelines can be moved to permit coal recovery. Numerous oil and/or gas wells

have been drilled on the tract. The estimate of the bonus value of the coal lease will include consideration of the future production from these wells. An economic analysis of this future income stream will determine whether a well is bought out and plugged prior to mining or re-established after mining is completed. The surface estate of the tract is owned by the North Antelope Rochelle Mine and the United States.

The tract contains surface mineable coal reserves in the Wyodak seam currently being recovered in the adjacent, existing mine. On the tract, the Wyodak seam is generally a single seam averaging about 77 feet thick. A small area in the northeast corner of the LBA has a split off the bottom of the main seam. This split starts at about 17 feet thick but thins rapidly to the east. The interburden increases to about 15 feet thick at the eastern edge of the LBA. The overburden depths range from about 290 to 365 feet thick on the LBA.

The tract contains an estimated 324,627,000 tons of mineable coal. This estimate of mineable reserves includes the main Wyodak seam and split mentioned above, but does not include any tonnage from localized seams or splits containing less than 5 feet of coal. It does not include the State of Wyoming coal, although these reserves are expected to be recovered by the NARO mine. The total mineable stripping ratio (BCY/Ton) of the coal is about 3.9:1. Potential bidders for the LBA should consider the recovery rate expected from thick seam and multiple seam mining.

The NARO North LBA coal is ranked as subbituminous C. The overall average quality on an as-received basis is 9090 BTU/lb with about 0.25% sulfur and 2.4% sodium in the ash. These quality averages place the coal reserves at the top of the range of coal quality currently being mined in the Wyoming portion of the Powder River Basin.

The tract will be leased to the qualified bidder of the highest cash amount provided that the high bid meets or exceeds BLM's estimate of the fair market value of the tract. The minimum bid for the tract is \$100 per acre or fraction thereof. No bid that is less than \$100 per acre, or fraction thereof, will be considered. The bids should be sent by certified mail, return receipt requested, or be hand delivered. The Cashier will issue a receipt for each hand-delivered bid. Bids received after 4 p.m., on Tuesday, December 28, 2004, will not be considered. The minimum bid is not intended to represent fair market value. The fair market value of the tract will be determined by the Authorized Officer after the sale. The

lease issued as a result of this offering will provide for payment of an annual rental of \$3.00 per acre, or fraction thereof, and of a royalty payment to the United States of 12.5 percent of the value of coal produced by strip or auger mining methods and 8 percent of the value of the coal produced by underground mining methods. The value of the coal will be determined in accordance with 30 CFR 206.250.

Bidding instructions for the tract offered and the terms and conditions of the proposed coal lease are available from the BLM Wyoming State Office at the addresses above. Case file documents, WYW150210, are available for inspection at the BLM Wyoming State Office.

Phillip C. Perlewitz,

Acting Deputy State Director, Minerals and Lands.

[FR Doc. 04-26448 Filed 11-29-04; 8:45 am]

BILLING CODE 4310-22-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-200-0777-XZ-241A]

Notice of Meeting, Front Range Resource Advisory Council (Colorado)

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (FLPMA) and the Federal Advisory Committee Act of 1972 (FACA), the U.S. Department of the Interior, Bureau of Land Management (BLM) Front Range Resource Advisory Council (RAC), will meet as indicated below.

DATES: The meeting will be held January 5, 2005 from 9:15 a.m. to 4 p.m.

ADDRESSES: Holy Cross Abbey Community Center, 2951 E. Highway 50, Canon City, Colorado 81212.

FOR FURTHER INFORMATION CONTACT: Ken Smith, (719) 269-8500.

SUPPLEMENTARY INFORMATION: The 15 member Council advises the Secretary of the Interior, through the Bureau of Land Management, on a variety of planning and management issues associated with public land management in the Royal Gorge Field Office and San Luis Valley, Colorado. Planned agenda topics include: Manager updates on current land management issues; a presentation and discussion on Tamarisk control and local BLM weed control efforts and a briefing on power transmission and supply across public land. All meetings are open to the