

per-unit costs associated with water deliveries.

Although the maintained banks of the canal are generally unvegetated, elderberry bushes and several mature oaks and cottonwoods are present within adjacent Tulare Irrigation District right-of-ways. Land use adjacent to the canal is primarily agricultural (vineyards, orchards, and nurseries) interspersed with stretches of sparse residential and industrial developments. The Tulare Irrigation District comprises approximately 70,000 acres of land that has been entirely developed for agricultural, residential, and/or commercial purposes.

In 1998, biologists surveyed the project area for special-status wildlife and plant species that could be affected by the project. Based upon those surveys, the Service concluded the project may result in take of one federally listed species, the threatened valley elderberry longhorn beetle.

The Tulare Irrigation District has agreed to implement the following measures to minimize and mitigate take of the valley elderberry longhorn beetle: (1) Protect elderberry bushes in place where possible by using protective fencing and conducting educational meetings with contractors to highlight the importance of protecting elderberry bushes; and (2) make a one-time payment into the Valley Elderberry Longhorn Beetle Mitigation Fund that has been established through a joint agreement between the Service and the Center for Natural Lands Management. Payments made to the Mitigation Fund would be dispersed by the Center for Natural Lands Management at the direction of the Service to preserve and manage large tracts of habitat suitable for supporting valley elderberry longhorn beetle.

The Proposed Action consists of the issuance of an incidental take permit and implementation of the Plan to minimize and mitigate impacts of the project on the valley elderberry longhorn beetle. An alternative to the taking of listed species under the Proposed Action is considered in the Plan. Under the No Action Alternative, no permit would be issued. Under this alternative, canal operation would continue to result in the loss of up to 6,000 acre-feet of water per year. The Tulare Irrigation District considered five other alternatives described in the Plan, but did not select them for various reasons, including disagreement among, or opposition from, local landowners.

The Service has made a preliminary determination that the Plan qualifies as a "low-effect" plan as defined by its Habitat Conservation Planning

Handbook (November 1996). We made this determination by evaluating the following criteria: (1) Implementation of the Plan would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) implementation of the Plan would result in minor or negligible effects on other environmental values or resources; and (3) impacts of the Plan, considered together with the impacts of other past, present and reasonably foreseeable similarly situated projects would not result, over time, in cumulative effects to environmental values or resources which would be considered significant. As more fully explained in the Service's Environmental Action Statement, the Tulare Irrigation District Plan likely qualifies as a "low-effect" plan for the following reasons:

1. Approval of the Plan would result in minor or negligible effects on the valley elderberry longhorn beetle and its habitat. The Service does not anticipate significant direct or cumulative effects to the valley elderberry longhorn beetle resulting from lining of the existing canal.
2. Approval of the Plan would not have adverse effects on unique geographic, historic or cultural sites, or involve unique or unknown environmental risks.
3. Approval of the Plan would not result in any cumulative or growth inducing impacts and, therefore, would not result in significant adverse effects on public health or safety.
4. The project does not require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act, nor does it threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.
5. Approval of the Plan would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service therefore has preliminarily determined that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). Based upon this preliminary determination, we do not intend to prepare further National Environmental Policy Act documentation. The Service will consider public comments in making its final determination on whether to prepare such additional documentation.

The Service provides this notice pursuant to section 10(c) of the Endangered Species Act. We will evaluate the permit application, the Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Endangered Species Act. If the requirements are met, the Service will issue a permit to the Tulare Irrigation District for incidental take

of the valley elderberry longhorn beetle during lining of the canal. We will make the final permit decision no sooner than 30 days from the date of this notice.

Dated: July 24, 1999.

**Elizabeth H. Stevens,**  
*Deputy Manager, California/Nevada  
Operations Office, Sacramento, California.*  
[FR Doc. 99-19973 Filed 8-3-99; 8:45 am]

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## GEOLOGICAL SURVEY

### Technology Transfer Act of 1996

**AGENCY:** United States Geological Survey, Interior.

**ACTION:** Notice of proposed cooperative research and development agreement (CRADA) negotiations.

**SUMMARY:** The United States Geological Survey (USGS) is contemplating entering into a Cooperative Research and Development Agreement (CRADA) with the Conservation Fund to further develop a new method for treating water degraded by acidic mine drainage or other sources of acid.

**INQUIRIES:** If any other parties are interested in similar activities with the USGS, please contact Barnaby Watten, USGS-BRD, Leetown Science Center, 1700 Leetown Road, Kearneysville, WV 25430.

**BUREAU CLEARANCE OFFICER:** John Cordyack, 703-648-7313.

**SUPPLEMENTARY INFORMATION:** This notice is to meet the USGS requirement stipulated in the Survey Manual.

Dated: July 26, 1999.

**Byron K. Williams,**  
*Acting Chief Biologist.*  
[FR Doc. 99-19946 Filed 8-3-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Information Collection for Class III Procedures

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

**ACTION:** Notice of emergency clearance and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*) this notice announces that the Office of Management and Budget's (OMB) Office of Information and Regulatory Affairs approved an information collection request for emergency clearance under 5 CFR 1320.13. The information