

Dated: February 4, 2004.

**LaVerne Y. Stringfield,**

*Director, Office of Federal Advisory  
Committee Policy.*

[FR Doc. 04-2926 Filed 2-10-04; 8:45 am]

**BILLING CODE 4140-01-M**

## DEPARTMENT OF HOMELAND SECURITY

### Transportation Security Administration

#### Reports, Forms, and Record Keeping Requirements: Agency Information Collection Activity Under OMB Review; Aircraft Operator Security

**AGENCY:** Transportation Security  
Administration (TSA), DHS.

**ACTION:** Notice.

**SUMMARY:** This notice announces that TSA has forwarded the Information Collection Request (ICR) abstracted below to the Office of Management and Budget (OMB) for review and clearance of an extension of the currently approved collection under the Paperwork Reduction Act. The ICR describes the nature of the information collection and its expected burden. TSA published a **Federal Register** notice, with a 60-day comment period soliciting comments, of the following collection of information on November 26, 2003, 68 FR 66473.

**DATES:** Send your comments by March 12, 2004. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**ADDRESSES:** Comments may be faxed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: DHS-TSA Desk Officer, at (202) 395-5806.

**FOR FURTHER INFORMATION CONTACT:** Conrad Huygen, Privacy Act Officer, Transportation Security Administration, West Tower 412-S, TSA-17, 601 S. 12th Street, Arlington, VA 22202-4220; telephone (571) 227-1954; facsimile (571) 227-2912.

#### SUPPLEMENTARY INFORMATION:

#### Transportation Security Administration (TSA)

*Title:* Aircraft Operator Security.

*Type of Request:* Extension of a currently approved collection.

*OMB Control Number:* 1652-0003.

*Form(s):* NA.

*Affected Public:* Air carriers.

*Abstract:* TSA is seeking to renew information collection request number 1652-0003, which was originally obtained by the Federal Aviation Administration (FAA) to ensure

compliance with the standards that were developed and implemented at 14 CFR part 108. The Aviation and Transportation Security Act of 2001 (ATSA), Public Law 107-71, transferred the responsibility for civil aviation security from the FAA to TSA. In February 2002, TSA implemented aircraft operator security standards at 49 CFR part 1544, while 14 CFR part 108 was repealed. This regulation requires aircraft operators to maintain and update their security programs for inspection by TSA to ensure security, safety, and regulatory compliance.

*Number of Respondents:* 83.

*Estimated Annual Burden Hours:* 43,160.

TSA is soliciting comments to—

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Issued in Arlington, Virginia, on February 6, 2004.

**Susan T. Tracey,**

*Chief Administrative Officer.*

[FR Doc. 04-2994 Filed 2-10-04; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Environmental Assessment Regarding Proposed Issuance of an Incidental Take Permit to the Burlington Northern and Sante Fe Railway Company on Lands in the Middle Fork Flathead River Corridor

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

**ACTION:** Notice of intent to prepare an Environmental Assessment; notice of public scoping meetings.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, the Fish and Wildlife Service (Service) intends to prepare an Environmental Assessment (EA). The EA will address the proposed issuance of a Permit to allow take of grizzly bears incidental to rail operations between

Browning (milepost 1123.9) and Conkley (milepost 1208.7), Montana.

The proposed Permit will authorize take of grizzly bear, a federally listed threatened species, in accordance with the Endangered Species Act of 1973, as amended, and other species of concern should they become listed in the future.

The Burlington Northern and Santa Fe Railway Company (BNSF) is preparing a Habitat Conservation Plan (HCP) as part of an application for the Permit. The HCP will address the effects to grizzly bears of BNSF's railroad operations on approximately 137 kilometers (85 miles) of railroad right-of-way. The Service is furnishing this Notice to advise other agencies and the public of our intentions and to announce the initiation of a 45-day scoping period during which other agencies and the public are invited to provide written comments on the scope of the issues and potential alternatives to be included in the EA.

Pursuant to the NEPA, 42 U.S.C. 4321 *et seq.*, and its implementing regulations, 40 CFR 1500.0, *et seq.*, BNSF and the Service jointly announce their intent to prepare an EA for the proposed action of reviewing and approving the proposed HCP and issuing an incidental take permit. The BNSF and the Service also jointly announce their intent to hold scoping meetings, the date, time, and place of which are provided in this notice below. This notice is provided pursuant to section 10(c) of the Endangered Species Act, 16 U.S.C. 1531 *et seq.*, and NEPA implementing regulations, 40 CFR 1506.6.

**DATES:** Scoping will commence as of February 11, 2004. Written comments on the scope of the proposed action, the approval of a HCP and the concomitant issuance of the Permit should be received on or before March 29, 2004. Three scoping meetings will be held, on the following dates—February 10, 11, and 12, 2004. Each meeting will run from 4 p.m. until 8 p.m. The BNSF and the Service will use an open-house format for the meetings, allowing interested members of the public to attend at any point during the meetings to gather information and/or provide comments.

**ADDRESSES:** Meeting locations are scheduled as follows—February 10, 2004, Montana Fish, Wildlife and Parks, 490 N. Meridian Road, Kalispell, Montana; February 11, 2004, Middlefork Quick Response Building, Highway 2, Essex, Montana; February 12, 2004, Blackfeet Tribal Complex, Government Square, Tribal Conference Room, Browning, Montana. Written comments

regarding the proposed action and the proposed EA should be addressed to Tim Bodurtha, Supervisor, U.S. Fish and Wildlife Service, 780 Creston Hatchery Road, Kalispell, Montana 59901.

**FOR FURTHER INFORMATION CONTACT:** Tim Bodurtha, U.S. Fish and Wildlife Service, 780 Creston Hatchery Road, Kalispell, Montana 59901, (406) 758-6882, facsimile (406) 758-6877, e-mail [FW6\\_BNSF\\_ScopingHCP@fws.gov](mailto:FW6_BNSF_ScopingHCP@fws.gov), or Michael Perrodin, BNSF Environmental Operations Manager, 235 Main Street, Havre, Montana 59501, (406) 265-0483, facsimile (406) 265-0356.

**SUPPLEMENTARY INFORMATION:** The Endangered Species Act and its implementing regulations prohibit the taking of threatened and endangered species. The term "take" is defined under the Endangered Species Act to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct. Harm is defined by the Service to include significant habitat modification or degradation where it actually kills or injures fish or wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, sheltering, spawning, rearing, and migrating.

The Service, under certain circumstances, may issue permits to take listed animal species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened or endangered species are found at 50 CFR 17.22 and 50 CFR 17.32.

### Background

The railroad, which traverses the Middle Fork Flathead River corridor, is a portion of the original Great Northern Railway that began operations in 1878. The mainline, from Minneapolis to Seattle, was completed in 1893. Through subsequent mergers, the Great Northern became part of the Burlington Northern Railroad and eventually part of the BNSF. Today, BNSF operates a modern railroad through the corridor. The track is continuous welded rail, traffic is centrally controlled, and operations are computerized. Current rail traffic through the corridor is about 30 freight trains and 2 passenger trains (operated by Amtrak) per day. Depending on market conditions, daily traffic may be as high as 50 freight trains.

The grizzly bear was listed as a threatened species, pursuant to the Endangered Species Act, in 1975. The original Grizzly Bear Recovery Plan was approved in 1982, and a revised plan

was approved in 1993. The Middle Fork Flathead River corridor lies within the Northern Continental Divide Grizzly Bear Recovery Zone. Among other objectives, the Grizzly Bear Recovery Plan includes objectives to reduce accidental deaths of bears and minimize activities that result in attraction of bears to sites of conflict.

Railroad operation is one cause of accidental grizzly bear deaths in the Middle Fork Flathead River corridor. Mortalities have occurred because the railroad right-of-way crosses several natural bear movement corridors. Section 10(a)(2)(B) of the Endangered Species Act contains provisions for the issuance of incidental take permits to non-Federal landowners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. An applicant for a Permit under section 10 of the Endangered Species Act must prepare and submit to the Service for approval, a Conservation Plan (commonly known as HCP) containing a strategy for minimizing and mitigating the impacts of the take on listed species associated with the proposed activities to the maximum extent practicable. The applicant also must ensure that adequate funding for the Conservation Plan will be provided.

The BNSF initiated discussions with the Service regarding the development of a HCP and obtaining a Permit. During this process, BNSF intends to employ the Service's technical assistance and assistance of local wildlife biologists.

The BNSF proposes to develop the HCP to achieve conservation of the grizzly bear by minimizing the potential for grizzly bear-train collisions and mitigating for the consequences of unavoidable grizzly bear-train collisions.

As currently envisioned, the HCP would involve a multi-year Permit covering approximately 137 kilometers (85 miles) of railroad right-of-way through the Middle Fork Flathead River Corridor, from Conkelley east to Browning, Montana. The BNSF is currently considering a term of 25 years. The Service specifically requests comment on the term of a permit.

In 1991, the BNSF entered into an agreement with the State and Federal agencies that have relevant jurisdiction in the Middle Fork Flathead River Corridor to form the Great Northern Environmental Stewardship Area (GNESA). The GNESA fosters a positive working relationship among industry, government, and conservation interests. The cooperators recognize that the

Middle Fork Flathead River corridor is an area with unique natural values. They also recognize that commerce has an important place in the area. Accordingly, they seek to promote proper stewardship so that these two aspects are compatible. In addition to BNSF, the GNESA cooperators include the Flathead National Forest; Lewis and Clark National Forest; Glacier National Park; U.S. Fish and Wildlife Service; Blackfeet Indian Nation; Montana Fish, Wildlife and Parks; Montana Department of Natural Resources and Conservation; Montana Department of Transportation; Flathead County; Glacier County; the Great Bear Foundation; the Flathead Land Trust; The Nature Conservancy; and, two citizen members.

The BNSF has indicated that the HCP will emphasize conservation of grizzly bears. The BNSF also has indicated that they will develop and implement the HCP in close cooperation with GNESA and its member agencies. This approach will ensure that the HCP is well coordinated with other conservation programs that are currently in place in the Middle Fork Flathead River Corridor.

For the proposed HCP, the BNSF will develop specific conservation measures to be implemented within the framework of existing railroad operations and/or in cooperation with conservation programs for which another GNESA member agency has primary responsibility.

In cooperation with GNESA, the BNSF has implemented an operating protocol that includes several railroad operation and maintenance procedures intended to minimize train-bear incidents and ensure a rapid response and removal of attractants from the railroad right-of-way. In addition to the protocol, the GNESA agreement includes the provision for developing a \$1 million conservation trust fund for the purpose of assisting the GNESA cooperators to implement a variety of grizzly bear conservation activities in the Middle Fork Flathead River corridor. The BNSF anticipates that the HCP will update and build upon this existing agreement.

As currently envisioned, the HCP will incorporate active adaptive management features, with an emphasis on documenting all human-caused grizzly bear mortality in the corridor, evaluating factors that contribute to each mortality, and evaluating methods to reduce the potential for human-caused mortality. Applied research and monitoring will help determine the effectiveness of the HCP, validate models used to develop the HCP, and

provide the basic information used to implement "mid-course corrections" if necessary.

The Service will conduct an Environmental Review of the proposed HCP and prepare an EA. The Environmental Review will analyze the proposal as well as a full range of reasonable alternatives and the associated impacts of each. The Service and BNSF are currently in the process of developing alternatives for analysis. The scoping process will be used to identify reasonable alternatives in addition to the No Action alternative.

The Environmental Review of this project will be conducted in accordance with the requirements of the NEPA (42 U.S.C. 4321 *et seq.*), Council of Environmental Quality regulations (40 CFR parts 1500–1508), other appropriate Federal laws and regulations, and policies and procedures of the Service for compliance with all of the above-mentioned regulations. It is estimated that the draft EA will be available for public review during the third quarter of calendar year 2004.

Comments and suggestions are invited from all interested parties to ensure that all significant issues are identified and the full range of issues related to the proposed action are addressed. Comments or questions concerning this proposed action and the Environmental Review should be directed to the Service (see **ADDRESSES**).

Dated: January 27, 2004.

**John A. Blankenship,**

*Deputy Regional Director, Denver, Colorado.*

[FR Doc. 04–2952 Filed 2–10–04; 8:45 am]

**BILLING CODE 4310–55–P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CO–500–0777–XM–241A]

#### Notice of Amendment of Meeting Date, 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 on March 18, 2004 at the Holy Cross Abbey Community Center, 2951 E. Highway

50, Canon City, Colorado beginning at 9:15 a.m. The public comment period will begin at approximately 9:30 a.m. and the meeting will adjourn at approximately 4 p.m.

**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 Front Range Center, Colorado. Planned agenda topics include: Manager updates on current land management issues; a status report on the San Luis Valley Travel Management Plan; the San Luis Valley Program of Work for FY 04; and a briefing on the Arkansas Headwaters Recreation Area Integrated Concept Plan.

All meetings are open to the public. The public is encouraged to make oral comments to the Council at 9:30 a.m. or written statements may be submitted for the Council's consideration. Depending on the number of persons wishing to comment and time available, the time for individual oral comments may be limited. Summary minutes for the Council Meeting will be maintained in the Front Range Center Office and will be available for public inspection and reproduction during regular business hours within thirty (30) days following the meeting.

**FOR FURTHER INFORMATION CONTACT:** Bureau of Land Management (BLM), Attn: Ken Smith, 3170 East Main Street, Canon City, Colorado 81212. Phone (719) 269–8500.

Dated: February 4, 2004.

**Roy L. Masinton,**

*Front Range Center Manager.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CO–154–1610–DQ–GGCA]

#### Notice of Availability of the Proposed Resource Management Plan and Final Environmental Impact Statement, Gunnison Gorge National Conservation Area, CO

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability of the Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS), Gunnison Gorge National Conservation Area (NCA), Colorado.

**SUMMARY:** In accordance with Section 202 of the National Environmental Policy Act (NEPA) of 1969, and under authority of the Federal Land Policy and Management Act of 1976 (FLPMA), the BLM has prepared a PRMP/FEIS for the Gunnison Gorge National Conservation Area. The planning area lies in Montrose and Delta Counties, Colorado. The PRMP/FEIS provides direction and guidance for the management of public lands and resources of the NCA, as well as monitoring and evaluation requirements. The PRMP/FEIS would also amend the Uncompahgre RMP (189) for the affected lands in the planning area. Some decisions in the existing planning and management documents may be carried forward into the new NCA Resource Management Plan (RMP). Once approved in a Record of Decision (ROD), the RMP for the NCA would supercede all existing management plans for the public lands within the NCA. Tetra Tech, Inc., an environmental consulting firm in Boulder, Colorado, is assisting the BLM in the preparation of these documents and in the planning process for the NCA.

**DATES:** BLM Planning Regulations (43 CFR 1610.5–2) state that any person may protest the proposed land use planning decisions in the PRMP/FEIS, if he/she participated in the planning process, and has an interest that may be adversely affected. The protest must be postmarked within 30 days of the date that the Environmental Protection Agency publishes this notice in the **Federal Register**. Instructions for filing a protest are described in the Dear Reader letter in the PRMP/FEIS and are also included in the **SUPPLEMENTARY INFORMATION** section of this notice. For Further Information, and/or to have your name added to our mailing list, contact Bill Bottomly (970) 240–5337, Planning and Environmental Coordinator ([bill\\_bottomly@co.blm.gov](mailto:bill_bottomly@co.blm.gov)), or Karen Tucker at (970) 240–5309 ([karen\\_tucker@co.blm.gov](mailto:karen_tucker@co.blm.gov)), Gunnison Gorge NCA Manager. The address for both individuals is: Bureau of Land Management, Gunnison Gorge National Conservation Area, 2465 South Townsend Avenue, Montrose, CO 81401. Do not send protests to these individuals—see **SUPPLEMENTARY INFORMATION** below for instructions on submitting a protest.

Persons who are not able to inspect the PRMP/FEIS either on-line or at the information repository locations may request one of a limited number of printed or CD copies. Requests for copies of the PRMP/FEIS should be directed to Mr. Bottomly, and should