

Landholding Agency: Army  
Property Number: 219610033  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

10 Buildings  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Location: B0411, B0422, C0420, B0511, B0522, C0520, A0630, B0611, B0711, B0722

Landholding Agency: Army  
Property Number: 219610034  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Bldg. B1129  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610035  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

38 Barracks Buildings  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Location: A0403, A0411, A0419, A0443, B0434, A0444, B0404, B0428, B0431, B0433, C0402, C0403, C0407, C0422, C0423, C0427, B0507, B0509, A0510, A0511, C0502, C0506, C0507, C0522, C0523, A0620, A0628, A0629, B0632, B0633, B0704, B0708, C0804, B0908, B0909, C1107, B0528, B0531

Landholding Agency: Army  
Property Number: 219610036  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

B1117, C1323 Admin.  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610037  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

B1116, C1332 Admin.  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610038  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

A0117, A0129, B1118, C01322  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610039  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

22 Dayroom Buildings  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Location: 04129, A0126, B0412, B0413, B0420, B0421, B0513, B0512, C0410, C0418, C0419, C0510, B0520, B0521, B0613, B0620, B0621, B0712, B0713, B0720, B0721, C1327

Landholding Agency: Army  
Property Number: 219610040  
Status: Unutilized

Reason: Secured Area; Extensive deterioration.

A1403, A1505  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610041  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Bldgs. A0117, A0129, B1118, C1322  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610042  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Building 4301  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610043  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Buildings A0111, A0125  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610044  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

4 Buildings  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Location: B0622, C0618, C1326, 4133  
Landholding Agency: Army  
Property Number: 219610045  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Officer's Quarters B1111  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610046  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Building A0134  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610047  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Buildings B0116, C01332  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610048  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Structure PGP 45A  
Fort Lewis  
Fort Lewis Co: Pierce WA 98433–  
Landholding Agency: Army  
Property Number: 219610264  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

Wisconsin

Bldg. 1365  
Fort McCoy  
Ft. McCoy Co: Monroe WI 54656–  
Landholding Agency: Army  
Property Number: 219610611  
Status: Unutilized  
Reason: Extensive deterioration.

Bldg. 1734  
Fort McCoy  
Ft. McCoy Co: Monroe WI 54656–  
Landholding Agency: Army  
Property Number: 219610612  
Status: Unutilized  
Reason: Extensive deterioration.

Rawley Point Light  
Two Rivers Co: Manitowoc WI  
Landholding Agency: DOT  
Property Number: 879540004  
Status: Unutilized  
Reason: Secured Area; Extensive deterioration.

*Land (by State)*

Alaska

Russian Creek Aggregate Site  
USCG Support Center Kodiak  
Kodiak Co: Kodiak AK 99619–  
Landholding Agency: DOT  
Property Number: 879440025  
Status: Excess  
Reason: Floodway.

Sargent Creek Aggregate Site  
USCG Support Center Kodiak  
Kodiak Co: Kodiak AK 99619–  
Landholding Agency: DOT  
Property Number: 879440026  
Status: Excess  
Reason: Floodway.

Florida

Land—approx. 220 acres  
Cape San Blas  
Port St. Joe Co: Gulf FL  
Landholding Agency: DOT  
Property Number: 879440018  
Status: Underutilized  
Reason: Secured Area; Floodway.

Michigan

Middle Marker Facility  
Ypsilanti Co: Washtenaw MI 48198–  
Location: 549 ft. north of intersection of Coolidge and Bradley Ave. on East side of street  
Landholding Agency: DOT  
Property Number: 879120006  
Status: Unutilized  
Reason: Within airport runway clear zone.

[FR Doc. 96–8208 Filed 4–4–96; 8:45 am]

**BILLING CODE 4210–29–M**

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Notice of Availability of a Draft Environmental Impact Statement and Receipt of an Application for the Proposed Issuance of an Incidental Take Permit for Threatened and Endangered Species on Lands Managed by the Washington Department of Natural Resources (DNR) Within the Range of the Northern Spotted Owl**

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice advises the public that the Washington Department of Natural Resources (Applicant) has applied to the Fish and Wildlife Service and the National Marine Fisheries Service (together Services) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The Applicant has also requested an unlisted species agreement to cover species which may occur in the planning area and which may be listed in the future. The term of the permit has not been decided. The Applicant is seeking a permit term of up to 100 years, subject to final approval by its authorizing board. The Services will provide recommendations to the Applicant on all issues related to the application, including the permit term, upon completion of the Services' review of the application. The application has been assigned permit number PRT-812521. The Services also announce the availability of a Draft Environmental Impact Statement (DEIS) for the proposed issuance of the incidental take permit. This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application and DEIS should be received on or before May 20, 1996.

**ADDRESSES:** Comments regarding the application or DEIS, or requests for these documents, should be addressed to Curt Smitch, U.S. Fish and Wildlife Service, and Churck Turley, Washington Department of Natural Resources, 1111 Washington Street SE., P.O. Box 47011, Olympia, Washington 98504-7011. Please refer to permit No. PRT-812521 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** William Vogel or Craig Hansen, Fish and Wildlife Service, or Steve Landino, National Marine Fisheries Service, at the Pacific Northwest Habitat

Conservation Plan Program, 3704 Griffin Lane SE, Suite 102, Olympia, Washington 98501-2192; (360) 534-9330.

**SUPPLEMENTARY INFORMATION:** Under section 9 of the Act and its implementing regulations, "taking" of threatened and endangered species is prohibited. However, the Services, under limited circumstances, may issue permits to take threatened or endangered wildlife species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are in 50 CFR 17.22 and 17.32.

The Applicant has addressed species conservation and ecosystem management on approximately 1.6 million acres of State-managed land within the range of the northern spotted owl (*Strix occidentalis caurina*) (owl) in Washington. The Applicant is requesting a permit for the incidental take of the owl, marbled murrelet (*Brachyramphus marmoratus*) (murrelet), Oregon silverspot butterfly (*Speyeria zerene hippolyta*), Aleutian Canada goose (*Branta canadensis leucopareia*), peregrine falcon (*Falco peregrinus*), bald eagle (*Haliaeetus leucocephalus*), gray wolf (*Canis lupus*), grizzly bear (*Ursus arctos*) and the Columbian white-tailed deer (*Odocoileus virginianus leucurus*) which may occur as a result of timber harvest and related activities within the 1.6 million-acre planning area.

The Habitat Conservation Plan (HCP) is designed to complement the President's Northwest Forest Plan, and includes various forms of mitigation which are integral parts of the HCP. The HCP covers nine planning units which occur in three basic geographic areas: (1) five planning units in the area west of the Cascade Crest; (2) three planning units in the area within the range of the owl east of the Cascade Crest; and (3) the Olympic Experimental State Forest (OESF) Planning Unit. Only listed species are addressed east of the Cascade Crest.

Three alternatives are presented for the HCP planning units excluding the OESF Planning Unit: (1) a No-Action alternative; (2) the proposed HCP; and (3) an HCP strategy with enhanced conservation. Three alternatives are presented separately for the Olympic Experimental State Forest: (1) a No-Action alternative; (2) a zoned conservation strategy which focuses on owl demographic support, and maintenance of several existing owl sites and likely landscape connections; and (3) an unzoned conservation

strategy, similar to the proposed HCP for other planning units. The OESF is addressed separately from the other planning units because of its unique location on the Olympic Peninsula, value to fish and wildlife, and current condition of its forests. This planning unit has provisions for a greater emphasis on research as part of the mitigation measures for incidental take.

The DNR seeks to obtain an incidental take permit for owls, murrelets, Oregon silverspot butterflies, Aleutian Canadian Geese, peregrine falcons, bald eagles, gray wolves, grizzly bears, and Columbian white-tailed deer that may occur on State lands managed by DNR within the HCP area. Under the HCP, the owl conservation strategy for all planning units, excluding the OESF, was developed to minimize and mitigate for the incidental take by providing owl nesting, roosting and foraging (NRF) habitat, and dispersal habitat in areas that complement the Northwest Forest Plan. The amount and location of this habitat varies between planning units depending upon the amount of DNR-managed lands designated as NRF-management areas and the capability of the land to provide owl habitat. However, the objective is to provide NRF on 50 percent of DNR-managed lands within the NRF-management areas. Under the enhanced conservation alternative, the objective is to provide NRF on 60 percent of DNR-managed lands within such areas. Both action alternatives also include areas managed for owl dispersal habitat.

For owls on the OESF, the proposed HCP takes an "unzoned approach". The goals for each of 11 landscape-management units include 20 percent of the area as NRF habitat and another 20 percent which would also provide roosting and foraging opportunities for owls. The alternative "zoned approach" would use a combination of nest groves, core areas, range areas, and temporary special pair areas to emphasize strategically located areas.

The murrelet conservation strategy for the proposed HCP includes provisions to conduct a habitat-relationship study to determine the type and range of potential murrelet habitat that is likely to be occupied. After habitat-relationship studies are completed on a planning unit by planning unit basis, a small percentage of marginal murrelet habitat will be released for harvest without surveys. A long-range conservation strategy will be developed in consultation with the Fish and Wildlife Service after habitat-relationship studies are completed and surveys of remaining habitat are concluded. Under the enhanced

conservation strategy, all suitable murrelet habitat, including marginal habitat, would be retained until the completion of the long-range conservation strategy. These same alternatives apply to the OESF as well.

The riparian strategies for both action alternatives were developed to protect anadromous fish and riparian-obligate species by establishing riparian management zones, wetland protection areas, and provisions to address other issues including steep and unstable slopes, rain-on-snow event areas, and road system management. Under the HCP, riparian management zones will be established along all Type 1 through Type 4 Waters. Type 5 Waters will be protected in areas having a high risk of mass wasting. These buffers will contain a no-harvest portion as well as areas where management activity will be allowed. Additional wind buffers will be placed on Type 1 through Type 3 Waters on the windward side of the stream where there is a potential for windthrow. Under the enhanced conservation alternative, riparian management buffers will be applied to all Type 1 through Type 5 Waters, and wind buffers will be applied to both sides of Type 1 through Type 3 Waters.

For the OESF, the riparian strategy is the same for both action alternatives, which includes interior and exterior core buffers. The interior core buffers are designed to minimize mass-wasting potential, and protect riparian processes and function. The exterior core buffers are designed to protect the integrity of the interior core from damaging winds and will be applied to both sides of Type 1 through 4 Waters, as well as Type 5 Waters as appropriate.

The DNR also seeks to obtain an unlisted species agreement for species that may occur on DNR-managed lands on the west side of the Cascade Crest. Specifically, the proposed unlisted species agreement identifies a process by which species that use the habitat types in the West Side and OESF planning units could be added to the Incidental Take Permit if they are listed as threatened or endangered species in the future and no extraordinary circumstances exist. Each action alternative contains provisions to protect the habitat types that occur on DNR-managed lands. For example, in addition to the conservation provided by the owl, murrelet, and riparian strategies, additional provisions are included to protect special habitat types such as caves, talus fields, and large, structurally unique trees and snags.

Dated: March 26, 1996.

Thomas J. Dwyer,

*Deputy Regional Director, Region 1, Fish and Wildlife Service.*

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BILLING CODE 4310-55-P

## Bureau of Indian Affairs

### Wyandotte Tribe of Oklahoma Liquor Ordinance

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

**ACTION:** Notice.

**SUMMARY:** This Notice is published in accordance with authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. § 1161. I certify that Resolution No. 941011A, the Wyandotte Tribe of Oklahoma Liquor Control Ordinance was duly adopted by the Wyandotte Tribe of Oklahoma on October 11, 1994. The Ordinance provides for the regulation distribution, possession, sale and consumption of liquor on lands held in trust belonging to the Wyandotte Tribe of Oklahoma.

**DATES:** This Ordinance is effective as of April 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Chief, Branch of Judicial Services, Division of Tribal Government Services, 1849 C Street, N.W., MS 2611-MIB, Washington, D.C. 20240-4001; telephone (202) 208-4400.

**SUPPLEMENTARY INFORMATION:** The Wyandotte Tribe of Oklahoma Liquor Ordinance is to read as follows:

Liquor Control Ordinance of the Wyandotte Tribe of Oklahoma

#### *Chapter I—Introduction*

101. Title. This ordinance shall be known as the "Wyandotte Liquor Ordinance."

102. Authority. This ordinance is enacted pursuant to the Act of August 15, 1953, 67 stat. 586, codified at 18 U.S.C. § 1161, and by the authority of the Wyandotte Tribal Business Committee.

103. Purpose. The purpose of this ordinance is to regulate and control the possession and sale of liquor on the Wyandotte Trust Land. The enactment of a tribal ordinance governing liquor possession and sale on the Wyandotte Trust Land will increase the ability of the tribal government to control the sale, distribution and possession of liquor on Wyandotte trust lands and will provide an important source of revenue for the

continued operation and strengthening of the tribal government and the delivery of tribal government services.

104. Effective date. This ordinance shall be effective on certification by the Secretary of the Interior and its publication in the Federal Register.

#### Article I. Declaration of Public Policy and Purpose

(a) The introduction, possession, and sale of liquor on the Wyandotte Trust Land is a matter of special concern to the Wyandotte Tribe of Oklahoma.

(b) Federal Law currently prohibits the introduction of liquor into Indian Country (18 U.S.C. § 1154), except as provided therein and expressly delegates to the tribes the decision regarding when and to what extent liquor transactions shall be permitted. (18 U.S.C. 1161).

(c) The Wyandotte Tribal Council finds that a complete ban on liquor within the Wyandotte Trust Land is ineffective and unrealistic. However, it recognizes that a need still exists for strict regulation and control over liquor transactions within the Wyandotte Trust Land, because of the many potential problems associated with the unregulated or inadequately regulated sale, possession, distribution, and consumption of liquor. The Wyandotte Tribal Council finds that exclusive tribal control and regulation of liquor is necessary to achieve maximum economic benefit to the Tribe, to protect the health and welfare of tribal members, and to address specific concerns relating to alcohol use on the Wyandotte Trust Land.

(d) It is in the best interests of the Tribe to enact a tribal ordinance governing liquor sales on the tribal lands and which provides for exclusive purchase, distribution, and sale of liquor only on tribal lands within the exterior boundaries of the Wyandotte Trust Land. Further, the Tribe has determined that said purchase, distribution, and sale shall take place only at tribally-owned enterprises and/or tribally licensed establishments operating on land leased from or otherwise owned by the Tribe.

#### Article II. Definitions

As used in the title, the following words shall have the following meanings unless the context clearly requires otherwise:

(a) "Alcohol" means that substance known as ethyl alcohol, hydrated oxide of ethyl, ethanol, or spirits of wine, from whatever source or by whatever process produced.