

(#5310), Findley Gulch Rd. (#5290), Poison-Dry Loop Rd. (#5275), Cabin Draw Rd. (#5265), Ward Gulch Rd. (#5260), Antelope Creek Rd. (#5250), Trickle Mountain Rd. (#5255), Big Dry Gulch Rd. (#5242), Taylor Canyon Rd. (#5248), Decker Creek Rd. (#5335) and Squaw Creek Rd. (#5245).

DATES: This closure is in effect from March 1 through May 31 and shall remain in effect unless revised, revoked or amended.

ADDRESSES: Comments can be directed to the Area Manager, San Luis Resource Area, 1921 State Street, Alamosa, CO 81101 or District Manager, Canon City District Office, 3170 E. Main, Canon City, CO 81212.

FOR FURTHER INFORMATION CONTACT: Julie Howard, Area Manager at (719) 589-4975.

SUPPLEMENTARY INFORMATION: Roads will be reopened to travel when dry soil conditions allow. These restrictions do not apply to emergency, law enforcement and Federal, State or other government personnel who are in the area for official or emergency purposes and who are expressly authorized or otherwise officially approved by BLM. Any person who fails to comply with this closure order will be subject to the penalties provided by 43 CFR 8360.0-7 which includes fines not to exceed \$1000 and/or imprisonment not to exceed 12 months. Notice of this closure will be posted at the San Luis Resource Area Office and the Canon City District Office.

Donnie R. Sparks,
District Manager.

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BILLING CODE 4310-JB-M

[NM-930-1430-01;KSNM 94549]

Notice of Proposed Modification of Public Land Order (PLO) 5605; Transfer of Jurisdiction in Leavenworth County, Kansas

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

ACTION: Notice.

SUMMARY: The United States Department of Justice (DOJ) has requested a modification of PLO 5605 to formally change the use and benefitting agency of 24 acres from a part of a Federal correction facility for the DOJ to a Frontier Army Museum under the Department of Army. The land has been and remains closed to surface entry and mining but not from leasing under the mineral leasing laws.

DATES: Comments should be received by May 10, 1995.

FOR FURTHER INFORMATION CONTACT: Clarence Hougland, BLM, New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico, 87502-0115, 505-438-7593.

SUPPLEMENTARY INFORMATION: The DOJ proposes to modify the withdrawal made by PLO 5605 dated October 13, 1976, which withdrew the following described land from all forms of appropriation under the public land laws, including the mining laws, but not from leasing under the mineral leasing laws:

Sixth Principal Meridian

T. 8 S., R. 23 E.,

A tract of land situated in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of sec. 26, more particularly described as follows:

Beginning at a concrete monument (#29) located in the NE $\frac{1}{4}$ of sec. 26 on the Fort Leavenworth Military Reservation; thence S. 19°45'13" E., 657.44 ft. along the reservation boundary, which is contiguous to the easterly boundary of the Federal Penitentiary under the jurisdiction of the DOJ, to a 4-inch bolt in Grant Avenue, said bolt being in the easterly boundary of said Federal Penitentiary, from which said bolt the bearing and distance to a reference iron pin formally in the north boundary line of the City of Leavenworth is S. 19°45'13" E., 104.28 ft.; thence Westerly, approximately 914 ft. along the north right-of-way line of Metropolitan Avenue to the east line of the Kansas Power and Light (KPL) easement; thence N. 01°14'34" E., 461.11 ft. along the east line of said KPL easement; thence N. 86°25'25" E., 48.09 ft. along the east line of said KPL easement; thence N. 05°27'41" W., 388.76 ft. to a point in the old boundary of the Fort Leavenworth Military Reservation the same being the east line of the said KPL easement; thence N. 71°55'09" W., 409.20 ft. along said KPL easement and along said old boundary of said reservation to a point; thence Northerly along said KPL easement approximately 1000 ft., parallel to the north line of Metropolitan Avenue, to a point in the present boundary of Fort Leavenworth Military Reservation, said point being in the center of Corral Creek; thence in a Southerly direction upstream, along the center of the ditch, approximately 643 ft. along the present reservation boundary to a point, said point being in the old reservation boundary; thence Southeasterly, approximately 161 ft., along the present reservation boundary to the point of beginning.

The area described contains 24 acres more or less, in Leavenworth County.

On October 13, 1976, 269.60 acres within the Fort Leavenworth Military Reservation were withdrawn and reserved for use of the DOJ for use by the Bureau of Prisons in connection with the operation of the Leavenworth

Federal Penitentiary. The DOJ has determined that 24 acres of this withdrawal is no longer needed for the Federal correction facility and has agreed to a transfer of the 24 acres to the Department of Army for the Frontier Army Museum. No change is proposed in the segregative effect of the withdrawal.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed modification of use and transfer of jurisdiction may present their views in writing to the Deputy State Director, Resource Planning, Use, and Protection, BLM, at the above address.

Dated: January 25, 1995.

Gilbert J. Lucero,
State Director.

[FR Doc. 95-3171 Filed 2-8-95; 8:45 am]

BILLING CODE 4310-FB-P

Fish and Wildlife Service

Availability of a Habitat Conservation Plan, Environmental Assessment, and Receipt of an Application for an Incidental Take Permit of Desert Tortoise Related to the Use of the Tuacahn School and Performing Arts Center Access Road, Ivins, Washington County, Utah

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Heritage Arts Foundation (Applicant) has applied to the Fish and Wildlife Service for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act) of 1973. The Applicant has been assigned Permit Number PRT-798634. The requested permit, which is for a period not to exceed 2 years, would authorize the incidental take of the threatened desert tortoise (*Gopherus agassizii*). The proposed take would occur as a result of further improvement and continued use of an access road to the Tuacahn School and Performing Arts Center (Tuacahn Center) in Ivins, Washington County, Utah. The road was constructed by the Applicant but has been deeded to the city of Ivins. It is anticipated that the road will be paved and will serve employees, students, and visitors of the Tuacahn Center.

The Applicant has prepared a habitat conservation plan and an environmental assessment for the incidental take permit application. This notice is provided pursuant to section 10(c) of