

comment be provided during recovery plan development. We will consider all information presented during the public comment period prior to approval of each new or revised recovery plan. We, along with other Federal agencies, will take these comments into account in the course of implementing approved recovery plans.

The Draft Plan describes the status, current management, recovery objectives and criteria, and actions needed to reclassify the pygmy-owl from endangered to threatened. The Draft Plan was developed in coordination with the Service and by an appointed Recovery Team which includes a group of scientists with expertise in the ecology of the pygmy-owl and other raptors (Technical Group) together with a team of stakeholders (the Implementation Group), which includes members of affected parties (*i.e.*, tribes, state agencies, counties, towns, developers, environmental groups, ranchers, mining, and private property rights groups). The Draft Plan has undergone peer review by scientists, conservation biologists, range experts, and others experienced in reviewing recovery plans. This Draft Plan incorporates their comments where applicable. Additional peer review will be conducted during the current public comment period.

The pygmy-owl occurs in a variety of scrub and woodland communities, including riverbottom woodlands, woody thickets, Sonoran desertscrub, and semidesert grasslands. The pygmy-owl occurs in areas with fairly dense woody thickets or woodlands with trees and/or cacti large enough to support nesting cavities. They are found below 1,200 meters (4,000 feet). We determined in 1997 that the distinct population segment in Arizona of the pygmy-owl was endangered (62 FR 10730) primarily because of habitat destruction. Factors identified included (1) present or threatened destruction of their habitat and range, (2) inadequate existing regulatory mechanisms, and (3) other natural or manmade factors affecting their continued existence. The Draft Plan contains actions to address these factors.

#### Public Comments Solicited

We solicit written comments on the Draft Plan. In particular, we are soliciting specific comments on:

1. Any information on the numbers and distribution of the pygmy-owl not considered in the Draft Plan and their relation to proposed recovery actions;
2. Whether we have looked at the right biological factors and other relevant data related to the quantity and

quality of available pygmy-owl habitat and what habitat is necessary to the recovery of the species;

3. Land use practices and current or planned activities within Recovery Areas and their possible impacts on proposed recovery actions.

All comments received by us on or before the date specified in the **DATES** section above will be considered prior to approval of the plan.

#### Authority

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: April 16, 2003.

**H. Dale Hall,**

*Regional Director, Region 2.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-029-03-1310-DT CBMP]

#### Notice of Availability of the Record of Decision for the Montana Statewide Oil and Gas Final Environmental Impact Statement and Plan Amendments of the Powder River and Billings Resource Management Plans (RMPs); Montana

**AGENCY:** Bureau of Land Management, Montana State Office, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the Federal Land Policy and Management Act and the National Environmental Policy Act, the Bureau of Land Management (BLM) announces the availability of the Record of Decision for the Montana Statewide Final Environmental Impact Statement (FEIS) and Resource Management Plan (RMP) Amendment of the Powder River and Billings RMPs. The BLM planning area included oil and gas estate administered by BLM in the Powder River and Billings RMP areas. The FEIS and Plan Amendments were available for protest from January 17, 2003, through February 18, 2003. All protests and comments received were considered during the preparation of the ROD.

**ADDRESSES:** Copies of the ROD have been sent to affected Federal, State, and local government agencies and to interested parties. The document will be available electronically on the following Web site: <http://www.mt.blm.gov/mcfo/>. Copies of the ROD are available for public inspection at the following BLM office locations: Office of External

Affairs, Main Interior Building, Room 6214, 18th and C Streets, NW., Washington, DC 20240; External Affairs Office; Montana State Office, 5001 Southgate Drive, Billings, MT 59101; Miles City Field Office, 111 Garryowen Road, Miles City, MT 59301.

#### FOR FURTHER INFORMATION CONTACT:

Mary Bloom, Coal Bed Methane Program Manager, Bureau of Land Management, 111 Garryowen Road, Miles City, MT 59301, (406) 233-3649.

**SUPPLEMENTARY INFORMATION:** The Powder River RMP area encompasses the southeastern portion of Montana consisting of Treasure and Powder River counties, and portions of Rosebud, Big Horn, Carter, and Custer counties. There are approximately 2,522,950 BLM-administered oil and gas acres in the Powder River RMP area. The Billings RMP area encompasses the south-central portion of Montana consisting of Wheatland, Golden Valley, Musselshell, Sweet Grass, Stillwater, Yellowstone, and Carbon counties, and the remaining portion of Big Horn County. There are approximately 662,066 BLM-administered oil and gas acres in the Billings RMP area. The BLM-administered oil and gas acreage in Blaine, Park, and Gallatin counties is not part of this BLM planning effort.

The State of Montana was a co-lead in preparation of the EIS. Four Designated Cooperating Agencies helped the BLM and the State prepare the EIS: the Bureau of Indian Affairs, the United States Department of Energy, the Crow Tribe, and the United States Environmental Protection Agency. The Northern Cheyenne Tribe declined to become a cooperating agency, but was invited by the BLM to participate in all Cooperating Agency activities.

Dated: April 11, 2003.

**Martin C. Ott,**

*State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[WY-040-06-1610-DU]

#### Notice of Availability of Record of Decision for Environmental Impact Statement and Resource Management Plan Amendments

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

**ACTION:** Notice of availability of Record of Decision (ROD) for the Wyoming Environmental Impact Statement (EIS) for the Powder River Basin Oil and Gas