

PRT-799099

Applicant: Dale W. Stahlecker, Santa Fe, New Mexico.

The applicant requests a permit to include take activities for the Southwestern willow flycatcher (*Empidonax traillii extimus*) for the purpose of scientific research and enhancement of propagation and survival of the species as prescribed by Service recovery documents.

ADDRESSES: Written data or comments should be submitted to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103, and must be received by the Assistant Regional Director within 30 days of the date of this publication.

Documents and other information submitted with this application are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the above office within 30 days of the date of publication of this notice. (See **ADDRESSES** above.)

James A. Young,

Acting Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-6465 Filed 3-15-95; 8:45 am]

BILLING CODE 4310-55-M

Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence on Lot 35, Block H, Epping Forest Cover, Long Canyon, Austin, Travis County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Larry W. James (Applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The Applicant has been assigned permit number PRT-798674. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of one single-family residence on Epping Forest Cove, Long Canyon, Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species

or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. 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 application and EA/HCP should be received on or before April 17, 1995.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Joseph E. Johnston, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours at the Ecological Services Field Office (8:00 to 4:30), at the above address in Austin, Texas. Written data or comments concerning the application should be submitted to the Acting Field Supervisor, Ecological Services Field Office, Austin, Texas (see **ADDRESSES** above). Please refer to permit number PRT-798674 when submitting comments.

FOR FURTHER INFORMATION CONTACT:

Joseph E. Johnston at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

Larry W. James plans to construct a single-family residence on Lot 35 of Long Canyon Subdivision, Travis County, Texas. This action will eliminate less than one half acre of land and indirectly impact less than four additional acres of golden-cheeked warbler habitat per residence. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by placing \$1,500 into the City of Austin Balcones Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with

federal listed species present was not economically feasible.

James A. Young,

Acting Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-6466 Filed 3-15-95; 8:45 am]

BILLING CODE 4310-55-M

Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence on Lots 9 and 10, Block C, Section 6, Talbot Lane, Rob Roy on the Creek, Austin, Travis County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Peter Van Cuylenburg (Applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The Applicant has been assigned permit number PRT-798667. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of one single-family residence on Talbot Lane, Rob Roy on the Creek, Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. 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 application and EA/HCP should be received on or before April 17, 1995.

ADDRESSES: Persons wishing to review the application may obtain a copy of writing to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Joseph E. Johnston, Ecological Services Field Office 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal

business hours at the Ecological Services Field Office (8:00 to 4:30), at the above address in Austin, Texas. Written data or comments concerning the application should be submitted to the Acting Field Supervisor, Ecological Services Field Office, Austin, Texas (see **ADDRESSES** above). Please refer to permit number PRT-798667 when submitting comments.

FOR FURTHER INFORMATION CONTACT:

Joseph E. Johnston at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

Peter Van Cuylenburg plans to construct a single-family residence on Lots 9 and 10, Block C, Section 6, Rob Roy on the Creek Subdivision, Travis County, Texas. This action will eliminate less than one half acre of land and indirectly impact less than four additional acres of golden-cheeked warbler per residence. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by placing \$1,500 into the City of Austin Balcones Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

James A. Young,

Acting Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-6468 Filed 3-15-95; 8:45 am]

BILLING CODE 4310-55-M

Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence on Lot 37, Block G, Chambly Cove, Long Canyon, Austin, Travis County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Charles E. Dixon (Applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the

Endangered Species Act (Act). The Applicant has been assigned permit number PRT-798532. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of one single-family residence on Chambly Cove, Long Canyon, Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made before 30 days from the date of publication of this notice. 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 application and EA/HCP should be received on or before April 17, 1995.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Joseph E. Johnston, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours at the Ecological Services Field Office (8:00 to 4:30), at the above address in Austin, Texas. Written Data or comments concerning the application and EA/HCP should be submitted to the Acting Field Supervisor, Ecological Services Field Office, Austin, Texas (see **ADDRESSES** above). Please refer to permit Number PRT-798532 when submitting comments.

FOR FURTHER INFORMATION CONTACT:

Joseph E. Johnston at the above Austin Ecological Service Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

Charles E. Dixon plans to construct a single-family residence on Lot 37 of Long Canyon Subdivision, Travis County, Texas. This action will

eliminate less than one half acre of land and indirectly impact less than one additional acre of golden-cheeked warbler habitat per residence. The Applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by placing \$1,500 into the City of Austin Balcones Canyonlands Conservation Fund to acquire/manage lands for the conservation of the golden-cheeked warbler.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

James A. Young

Acting Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95-6467 Filed 3-15-95; 8:45 am]

BILLING CODE 4310-55-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32602]

The Indiana & Ohio Central Railroad Company, Inc.—Lease and Operation—West Central Ohio Port Authority

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the prior approval requirements of 49 U.S.C. 11343-11345 the lease and operation by Indiana & Ohio Central Railroad Company, Inc., of the West Central Ohio Port Authority's (WESTCO PA) approximately 72.1 miles of rail line, formerly known as the Bellefontaine Cluster, in Clark, Champaign and Logan Counties, OH, subject to standard employee protective conditions. The Bellefontaine Cluster consists of: (1) The Bellefontaine Secondary Track, from milepost 98.8 near Bellefontaine, in Logan County, OH, to milepost 129.4, at a point of connection with the Catawba Secondary Track in Springfield, Clark County, OH; (2) the Catawba Secondary Track, from milepost 129.4, in Springfield, to milepost 130.6, at a point of connection with Consolidated Rail Corporation in Springfield; (3) the Catawba Secondary Track, from milepost 0.0 in Springfield, to milepost 17.2, at the end of the track in Mechanicsburg, Champaign County, OH; (4) the Urbana Industrial Track, from milepost 45.2 to milepost 50.03, in Urbana, Champaign County, OH; (5) the Urbana Secondary Track, from milepost 48.1, in Urbana, to milepost 54.2 in