

MONTHLY FEDERAL REGISTER  
REPORT—Continued

	Permit No.	Date
<b>February</b>		
Roger Gregg .....	796328	2/03/95
Steven Rohrbach .....	796329	2/03/95
Lubee Foundation, Inc. ....	797414	2/08/95
Carle Foundation .....	691972	2/08/95
Charles Hawkey .....	797694	2/08/95
John Shadd .....	797900	2/13/95
David Owens .....	792842	2/14/95
Kevin Thommes .....	795000	2/17/95
Riverbanks Zoological Park .....	799227	2/22/95
Int'l Wildlife Veteri- nary Services .....	797485	2/22/95
<b>March</b>		
Cincinnati Zoo .....	792583	3/02/95
Keith Evans .....	783660	3/03/95
Michelle Pomeroy .....	794583	3/27/95
Wildlife Conservation Society .....	793320	3/29/95
Mark Rohde .....	788774	3/39/95
Texas A & M Univer- sity .....	796331	3/30/95
Michel Bergerac .....	796661	3/30/95

Additional information on these permit may be requested by contacting the Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, Virginia 22203, telephone (703/358-2104) during normal business hours (7:45 a.m. 4:15 p.m.) weekdays.

Dated: May 8, 1995.

**Caroline Anderson,**

Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 95-11740 Filed 5-11-95; 8:45 am]

BILLING CODE 4310-55-M

**Availability of a Draft Environmental Impact Report/Environmental Impact Statement for Issuance of a Permit to Allow Incidental Take of Threatened and Endangered Species Within the Multiple Species Conservation Program Planning Area in San Diego County, CA**

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability of a draft joint Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS) for the proposed incidental take of species listed pursuant to the Endangered Species Act of 1973, as amended (Act). The proposed take would occur due to urban development in southwestern San Diego County, California. The County of San Diego and cities of San Diego, Chula Vista, Coronado, Del Mar, El Cajon, Imperial

Beach, La Mesa, Lemon Grove, National City, Poway, and Santee (applicants) intend to apply to the U.S. Fish and Wildlife Service (Service) for incidental take permits pursuant to section 10(a)(1)(B) of the Act.

The Service anticipates that the applicants will request permits for 10 listed animals: the threatened Western snowy plover (*Charadrius alexandrinus nivosus*) and coastal California gnatcatcher (*Poliophtila californica californica*); and the endangered Riverside fairy shrimp (*Streptocephalus woottoni*), California brown pelican (*Pelecanus occidentalis californicus*), bald eagle (*Haliaeetus leucocephalus*), light-footed clapper rail (*Rallus longirostris levipes*), California least tern (*Sterna antillarum*), southwestern willow flycatcher (*Empidonax traillii extimus*), least Bell's vireo (*Vireo bellii pusillus*), and Pacific pocket mouse (*Perognathus longimembris pacificus*).

The Service also anticipates that the applicants will request covered species agreements for 3 endangered plants, 4 plants and 1 animal proposed for listing, and 39 other unlisted species (26 plants, 9 birds, 2 reptiles, 1 mammal, and 1 invertebrate). The exact number of species included in these covered species agreements may change between the draft and final EIR/EIS. The purpose of the agreements is to conserve listed and unlisted species, thereby reducing the uncertainty associated with development and future species' listings.

The programmatic DEIR/DEIS evaluates the effects on the human environment expected to occur from proposed issuance of the permits and covered species agreements. Incidental take would be minimized and mitigated by implementation of the regional Multiple Species Conservation Program (MSCP) plan. This notice is provided pursuant to section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

In addition, Federal approval of the MSCP plan is required as part of the special 4(d) rule for the California gnatcatcher. Incidental take of the gnatcatcher is allowed under section 4(d) of the Act if take results from activities conducted pursuant to the California Natural Community Conservation Planning (NCCP) Act, the NCCP Process Guidelines, and the NCCP Southern California Coastal Sage Scrub Conservation Guidelines.

**DATES:** Written comments on the DEIR/DEIS should be received on or before June 26, 1995.

**ADDRESSES:** Comments should be addressed to Mr. Gail Kobetich, Field

Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue, Carlsbad, California 92008. Comments also may be sent by facsimile to telephone (619) 431-9618.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nancy Gilbert, Fish and Wildlife Biologist, at the above address, telephone (619) 431-9440. Individuals wishing copies of the DEIR/DEIS should immediately contact Ms. Gilbert. Copies of the DEIR/DEIS have been sent to City and County libraries in the greater San Diego area, and to all agencies and individuals who participated in the scoping process or requested copies. In addition, copies of the draft MSCP Plan are available at public libraries and can be obtained by contacting the City of San Diego Clean Water Program, 600 B Street, Suite 500, San Diego, California 92101, telephone (619) 533-4200. Upon receipt of an official permit application, the Service will officially announce availability of the final MSCP Plan for public review as required by section 10(c) of the Act.

**SUPPLEMENTARY INFORMATION:** Under section 9 of the Act and its implementing regulations, wildlife listed as threatened or endangered are protected from "taking." The Act defines take, in part, as killing, harming, or harassing listed wildlife. Service regulations further define harm to include significant habitat modification that results in death or injury of listed wildlife (50 CFR 17.3). Under limited circumstances, the Service may issue permits to take listed wildlife if such taking is incidental to, and not the purpose of, otherwise lawful activities. The taking prohibitions of the Act do not apply to listed plants on private lands unless such take would violate State law. Regulations governing permits are in 50 CFR 17.22 and 17.32. Under section 10(a)(1)(B) of the Act, the Service may issue incidental take permits for listed animals with an approved conservation plan. Among other criteria, issuance of such permits must not jeopardize the existence of listed species, both plant and animal.

The proposed action would allow incidental take of listed animals over a 30-year period. Take would occur on approximately 314,900 acres of habitat within the 581,600-acre planning area. Approximately 102,400 acres of the planning area is already developed. To mitigate the impacts of the proposed take, the applicants propose establishment of a 164,300-acre preserve within the boundaries of a Multiple Habitat Planning Area (MHPA). According to the draft MSCP plan, 24 habitats would be conserved under the

MHPA, including 6 rare or protected habitats. Fifty-seven species are proposed to be adequately protected under the MHPA. The Service would issue incidental take permits for listed animal species and covered species agreements for listed and unlisted plant and animal species that are adequately protected.

The DEIR/DEIS considers the environmental consequences of 5 alternatives, including the proposed action and no action alternatives. Under the no action or no project alternative, the regional MSCP would not be implemented. Jurisdictions would either avoid take of listed species within the planning area or apply for individual 10(a) permits on a project-by-project basis. Existing land use and environmental regulations would apply to all projects proposed within the planning area. Existing regulatory practices require mitigation for impacts to sensitive species and habitats resulting in lands being set aside for open-space preservation. Analyses indicate that the amount of land potentially conserved within the MSCP planning area under the no action alternative would be similar to that conserved under the proposed action (MHPA). However, under the no action alternative, greater habitat fragmentation would likely occur because the lands set aside for open-space preservation would not be assembled in coordination with a regional preserve design.

Other alternatives consider different preserve configurations. The coastal sage scrub (CSS) scenario would conserve 84,900 acres. According to the MSCP plan, CSS would include 21 habitats, providing adequate protection for 2 habitats, neither of which is rare. Twenty-six species would be covered under CSS. The biologically preferred (BP) scenario would conserve 167,000 acres. According to the MSCP plan, BP would include 24 habitats, adequately protecting 9. Of these 9 habitats, 7 are considered rare. Seventy-three species are proposed to be adequately protected under BP. The public lands (PL) scenario would conserve 147,000 acres. According to the MSCP plan, PL would include 24 habitats and adequately protect 6, all of which are rare. Thirty-five species are proposed to be adequately protected under PL.

Local jurisdictions would implement their respective portions of the MSCP plan. Preserve establishment would be a cooperative effort among Federal, State, and local governments and private landowners. These groups would manage habitat on certain lands they currently own and on additional lands acquired for the preserve. Additional

lands within the preserve would be acquired as compensation for impacts to habitat both inside and outside the preserve.

In addition to off-site mitigation, take within the preserve would be avoided or minimized through local land-use regulation, environmental review, and resource protection guidelines. Land-use regulations would emphasize avoidance by limiting encroachment onto sensitive biological resources. Long-term preserve management plans would be prepared to address habitat management and land-use issues. The MSCP plan provides guidelines for vegetative restoration and reintroduction, fencing, signs, fire management, grazing, predator and exotic species control, insects and disease, lighting, and other factors.

Each jurisdiction would sign an individual implementing agreement (IA) with the Service and California Department of Fish and Game to (1) obtain permits to take listed animals, (2) obtain covered species agreements and assurances for listed plants and unlisted plants and animals, and (3) identify the specific responsibilities of each party in implementing the MSCP plan. Each jurisdiction would then exercise its land-use review and approval powers in accordance with its IA and the MSCP. The 5 percent limit on interim take of coastal sage scrub, imposed as part of the NCCP program and special 4(d) rule, would be replaced by the conditions of each jurisdiction's IA.

Each jurisdiction would be expected to adopt the final configuration of the MSCP preserve within its boundary and adopt the recommendations of the MSCP through amendment of its General plan or other applicable plans. Zoning would be retained or properties rezoned, as needed, and zoning regulations amended to reflect the preserve boundaries and to achieve consistency with the MSCP plan. The MSCP guidelines for compatible land uses in and adjacent to the preserve are expected to be incorporated into the General Plan, zoning regulations, and approval process for projects, including adoption of appropriate mitigation guidelines. Procedures and regulations for interim controls will be necessary to address activities that would potentially impact sensitive habitats prior to issuance of permits to individual jurisdictions.

Dated: May 4, 1995.

**Thomas Dwyer,**

*Deputy Regional Director, Region 1, Portland, Oregon*

[FR Doc. 95-11630 Filed 5-11-95; 8:45 am]

BILLING CODE 4310-55-P

### **Sport Fishing and Boating Partnership Council; Notice of Meeting**

*Summary:* Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), this notice announces a regularly scheduled meeting of the Sport Fishing and Boating Partnership Council. This meeting is sponsored by the Council. Interested persons may attend, make oral statements to the Council or may file written statements for consideration. Summary minutes of the meeting will be maintained by the Coordinator for the Council at 4040 North Fairfax Drive, Arlington, VA 22203, and will be available for public inspection during regular business hours (7:30-4:00) Monday through Friday within 30 days following the meeting. Personal copies may be purchased for the cost of duplication.

*Date:* The meeting will be held on June 6, 1995, from 12:30 p.m.-5:00 p.m.

*Place:* The meeting will be held at the American Automobile Association Hdqtrs., 1440 New York Avenue, NW, Suite 200, Washington, D.C.

*Agenda:* The Council will receive reports from the Initiatives, Boating, Ethics, and Education Committees.

*Contact Person for More Information:* For further information individuals may contact Chris Dlugokenski, Council Coordinator, at 703 358-1777.

Dated: May 2, 1995.

**Mollie H. Beattie,**

*Director.*

[FR Doc. 95-11700 Filed 5-11-95; 8:45 am]

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### **Minerals Management Service**

#### **Announcement of Workshop on Proposed Policy Options for Outer Continental Shelf (OCS) Natural Gas and Oil Resource Management**

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** The Minerals Management Service (MMS) will hold a workshop at the Gulf of Mexico Regional Office located at 1201 Elmwood Park Boulevard, Jefferson, Louisiana 70123, on June 12-13, 1995.

The agenda will cover the following policies:

- Bid Adequacy Procedures (bidding methods and number of bid and geometric average evaluation of the tract rules).
- Increased Flexibility in Length of Lease Terms, with Possible Changes in Rental Rates and Minimum Bids (and provision for suspension and