

boundary and subdivisional lines, and the survey of the centerline of the May to Patterson Road and Lot 2 in section 32, T. 15 N., R. 22 E., Boise Meridian, Idaho, Group No. 887, was accepted, May 24, 1995.

This survey was executed to meet certain administrative needs of the Bureau of Land Management.

All inquiries concerning the survey of the above described land must be sent to the Chief, Branch of Cadastral Survey, Idaho State Office, Bureau of Land Management, 3380 Americana Terrace, Boise, Idaho, 83706.

Dated: May 31, 1995.

**Duane E. Olsen,**

*Chief Cadastral Surveyor for Idaho.*

[FR Doc. 95-14109 Filed 6-8-95; 8:45 am]

BILLING CODE 4310-GG-M

#### Fish and Wildlife Service

#### Information Collection Submitted to the Office of Management and Budget for Review Under the Paperwork Reduction Act

The proposal for the collection of information listed below has been submitted to the Office of Management and Budget (OMB) for reinstatement approval under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). Copies of the proposed information collection requirement and related forms and explanatory material may be obtained by contacting the Service's clearance officer at the phone number listed below. Comments and suggestions on the requirement should be made directly to the Service Clearance Officer and the Office of Management and Budget, Paperwork Reduction Project (1018-0066) Washington, D.C. 20503, telephone 202-395-7340.

**Title:** Marking, Tagging and Reporting Regulations for Polar Bear, Sea Otter and Walrus.

**OMB Approval Number:** 1018-0066.

**Abstract:** The Marine Mammal Protection Act of 1972, (Act) as amended, authorized the Secretary of the Interior to prescribe marking, tagging and reporting regulations in 50 CFR 18.23(f), for Alaska Natives harvesting polar bear, seat otter, and walrus. Under the Act Alaska Natives residing in Alaska and dwelling on the coast of the North Pacific or arctic Oceans may harvest these species for subsistence or handicraft purposes. The marking and tagging program is intended to gather reports of all kills made, and to tag or mark, as appropriate, skins, skulls and tusks of marine mammals killed to reduce illegal

trading in walrus ivory, polar bear and sea otter skins. The information collected is used by the Fish and Wildlife Service to improve its decision-making ability by substantially expanding the quality and quantity of harvest and biological data upon which future management decisions can be based. It provides the Service with the ability to make inferences about the condition and general health of the populations and to consider the importance and impact to these populations from such processes as development activities and habitat degradation.

Service Form Number(s): R7-50 (Walrus Certificate); R7-51 (Polar Bear Certificate); R7-52 (Sea Otter Certificate)

**Frequency:** On occasion.

#### Description of Respondents:

Individuals and household.

**Completion Time:** The reporting burden is estimated to average 15 minutes per respondent; respondents will average 1.46 responses per year.

**Annual Responses:** 2,925.

**Annual Burden Hours:** 732.

**Service Clearance Officer:** Phyllis H. Cook, 703-358-1943, Mail Stop—224 Arlington Square, U.S. Fish and Wildlife Service, Washington, D.C. 20240.

Dated May 22, 1995.

**Rowan W. Gould,**

*Acting Assistant Director—Fisheries.*

[FR Doc. 95-14087 Filed 6-8-95; 8:45 am]

BILLING CODE 4310-55-M

#### Endangered and Threatened Species Permit Application

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

**ACTION:** Notice of availability of the Final Environmental Impact Statement (EIS) on the Proposed Issuance of an Incidental Take Permit for Desert Tortoises in Clark County, Nevada.

**SUMMARY:** This notice advises the public that the Final Environmental Impact Statement (EIS) on the proposed issuance of an incidental take permit for desert tortoises in Clark County, Nevada is available. The Record of Decision will be published no sooner than 30 days from this notice.

**FOR FURTHER INFORMATION CONTACT:** Dolores Savignano, U.S. Fish and Wildlife Service, 1500 North Decatur Boulevard, #01, Las Vegas, Nevada 89108 or Carlos Mendoza, U.S. Fish and Wildlife Service, 4600 Kietzke Lane, Building C, Room 125, Reno, Nevada 89502.

Individuals wishing copies of this Final EIS should immediately contact Christine Robinson, Clark County

Manager's Office, 225 Bridger Avenue, Las Vegas, Nevada 89155. Copies of the Final EIS have been sent to all agencies and individuals who previously received copies of the Draft EIS and to all others who have already requested copies.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On April 2, 1990, the U.S. Fish and Wildlife Service (Service) issued a final rule (55 FR 12178) that determined the desert tortoise to be a threatened species under the Endangered Species Act of 1973, as amended (Act). That regulation became effective on the date of its publication in the *Federal Register*. Because of its listing as a threatened species, the desert tortoise is protected by the Act's prohibition against "taking." The Act defines "take" to mean: to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in such conduct. "Harm" is further defined by regulation as any act that kills or injures wildlife including significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3).

The Service, however, may issue permits to carry out otherwise lawful activities involving take of endangered and threatened wildlife under certain circumstances. Regulations governing permits are in 50 CFR 17.22, 17.23, and 17.32. For threatened species, such permits are available for scientific purposes, enhancing the propagation or survival of the species, economic hardship, zoological exhibition or educational purposes, incidental taking, or special purposes consistent with the purposes of the Act.

Clark County; the cities of Las Vegas, North Las Vegas, Henderson, Mesquite, and Boulder City; and Nevada Department of Transportation (NDOT) (Applicants) submitted an application to the Service for a permit to incidentally take desert tortoises (*Gopherus agassizii*), pursuant to section 10(a)(1)(B) of the Act, in association with various proposed public and private projects in Clark County, Nevada. The proposed permit would allow incidental take of desert tortoises for a period of 30 years, resulting from development on up to 113,900 acres of private lands within Clark County, Nevada. The permit application was received September 28, 1994, and was accompanied by the *Clark County Desert Conservation Plan* (CCDCP), which serves as the Applicant's habitat

conservation plan and details their proposed measures to minimize, monitor, and mitigate the impacts of the proposed take on the desert tortoise.

The Applicants propose to expend \$1.35 million per year, and up to \$1.65 million per year for the first 10 years, to minimize and mitigate the potential loss of desert tortoise habitat. It is anticipated that the majority of these funds will be used to implement mitigation measures as described in the CCDCP. In addition, funds will be provided to State and Federal resource managers for implementing desert tortoise recovery measures

recommended in the *Desert Tortoise (Mojave Population) Recovery Plan*, and for planning and managing lands both within and outside of desert wildlife management areas. The desert tortoise is only part of the desert ecosystem, and unless the various species of plants and animals which co-inhabit that system are likewise preserved, the status of the desert tortoise is likely to decline.

Therefore, the needs of other plant and wildlife resources will be addressed, possibly avoiding the need to list these species as threatened or endangered under the Act in the future. The Applicants also propose to purchase a conservation easement that preserves, protects, and assures the management and study of the conservation values, and in particular the habitat of the desert tortoise, of more than 85,000 acres of non-Federal land in Clark County.

To minimize the impacts of take, the Applicants propose to provide a free pick-up and collection service for desert tortoises encountered in harm's way within Clark County. These desert tortoises will be made available for beneficial uses such as translocation studies and programs, research, education, zoos, museums, or other programs approved by the Service and Nevada Division of Wildlife. Sick or injured desert tortoises will be humanely euthanized. NDOT will incorporate specific measures into its operations to avoid or minimize impacts to desert tortoises. Clark County will also implement a public information and education program to benefit the desert tortoise and the desert ecosystem.

Clark County or the cities would approve the issuance of land development permits for otherwise lawful public and private project proponents during the 30-year period in which the proposed Federal permit would be in effect. Clark County or the cities would impose, and NDOT would pay, a fee of \$550 per acre of habitat disturbance to fund the measures to

minimize and mitigate the impacts of the proposed action on desert tortoises.

The underlying purpose or goal of the proposed action is to develop a program designed to ensure the continued existence of the species, while resolving potential conflicts that may arise from otherwise lawful private and public improvement projects.

#### **B. Development of the Final EIS**

This Final EIS has been developed by the U.S. Fish and Wildlife Service. In the development of this Final EIS, the Service initiated action to assure compliance with the purpose and intent of the National Environmental Policy Act of 1969, as amended (NEPA). Scoping activities were undertaken preparatory to developing a Draft EIS with a variety of Federal, State, and local entities. A Notice of Intent to prepare a Draft EIS was published February 4, 1994 (59 FR 5439); a public scoping meeting was held February 14, 1994; and a Notice of Availability of a Draft EIS and Receipt of an Application for an Incidental Take Permit for Desert Tortoises in Clark County, Nevada was published February 10, 1995 (60 FR 8058).

Potential consequences, in terms of adverse impacts and benefits associated with the implementation of each alternative selected for detailed analysis, were described in the Draft EIS. The Service received 13 letters of comment on the Draft EIS which focused on the following subject areas: (1) Survey and removal of desert tortoises; (2) translocation of tortoises to a sanctuary; (3) euthanasia of tortoises; (4) measurable criteria for short-term and long-term conservation goals; (5) tortoise adoption; (6) effects to other species and resources; and (7) financing implementation of the CCDCP.

Appendix A of the Final EIS contains copies of all comments received and responses to all comments received. The Final EIS was revised where appropriate based on public comment and review. Issues and potential consequences have remained identical from the draft to the final EIS.

#### **C. Alternatives Analyzed in the Final EIS**

Two alternatives were considered. Issuance of the permit with the mitigating, minimizing, and monitoring measures outlined in the CCDCP is the Service's preferred action and is discussed above. The Draft EIS outlined alternative measures that were considered by the Service prior to issuance of the permit. The other alternative selected for detailed evaluation was a No Action alternative.

The No Action alternative would benefit individual desert tortoises on private lands in the short-term, however, it has been determined that viable populations of desert tortoises will not persist in the urban areas over the long-term. The No Action alternative would, therefore, not provide the benefits of the long-term recovery efforts for the desert tortoise identified in the CCDCP. The No Action alternative was not identified as the preferred alternative because it would diffuse existing regional conservation planning efforts for the desert tortoise and possibly concentrate activity on individual project needs, not meet the purpose and needs of the Applicants, and not provide the long-term benefits to the desert tortoise. Additionally, the No Action alternative could result in adverse impacts to the social environment within Clark County due to constraints on land-use activities that would impact the desert tortoise.

Dated: June 1, 1995.

**Thomas Dwyer,**

*Deputy Regional Director.*

[FR Doc. 95-13901 Filed 6-8-95; 8:45 am  
BILLING CODE 4310-55-P

#### **Finding of No Significant Impact for Incidental Take Permits for the Construction of Single-Family Residences at the Specific Site Locations Indicated Below in Travis County, Texas**

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) has prepared an Environmental Assessment for issuance of a Section 10(a)(1)(B) permit for the incidental take of the federally endangered golden-cheeked warbler (*Dendroica chrysoparia*) during the construction and operation of single-family residences in Travis County, Texas.

#### **Proposed Action**

The proposed action is the issuance of permits under Section 10(a)(1)(B) of the Endangered Species Act to authorize the incidental take of the golden-cheeked warbler.

The Applicant (Steven G. Madere) plans to construct a single-family residence at the specific site indicated as Lot 22, Block H, Long Canyon Phase IIA, aka 9000 Bell Mountain Drive, Austin, Travis County, Texas (PRT-799859).

The Applicant (Larry Michael Beasley) plans to construct a single-family residence at the specific site