

**San Bernardino Meridian**

T.11N., R.9W..  
Sec. 34, N1/2N1/2SW1/4NE1/4NW1/  
4NW1/4, N1/2N1/2SE1/4NW1/4NW1/  
4NW1/4.

Containing 1.25 acres of public land, more or less.

**SUPPLEMENTARY INFORMATION:** The County of Kern has applied to expand the area currently leased for the North Edwards Community Park. The land will be leased during the development stage, and subsequently conveyed upon substantial completion of the approved plan of development. The lands are not needed for Federal purposes, and conveyance would be consistent with the 1980 California Desert Conservation Area Plan, as amended. The lease and conveyance of the land would be subject to the following terms and conditions:

1. Provisions of the Recreation and Public Purpose Act and applicable regulations of the Secretary of the Interior.
2. A right of way to the United States for ditches and canals, pursuant to the Act of August 30, 1980 (43 U.S.C. 945).
3. A reservation of all minerals to the United States, and the right to prospect, mine, and remove the minerals.

Publication of this Notice in the **Federal Register** segregates the public lands from all other forms of appropriation under the public land laws and the general mining laws, but not the mineral leasing laws or the Recreation and Public Purpose Act.

Detailed information concerning this action is available for review at the California Desert District, 6221 Box Springs Blvd., Riverside, CA 92507. For a period of 45 days after publication of this notice in the **Federal Register** interested parties may submit comments to the District Manager, California Desert District, in care of the above address. Objections will be reviewed by the State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective 60 days after publication of this notice in the **Federal Register**.

Dated: June 5, 1995.

**Henri R. Bisson,**

*District Manager.*

[FR Doc. 95-15196 Filed 6-20-95; 8:45 am]

BILLING CODE 4310-40-P

**Fish and Wildlife Service****Endangered and Threatened Species Permit Application**

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

**ACTION:** Notice of availability.

Availability of an Environmental Assessment and Receipt of an Application for a Permit to Allow Incidental Take of 3 Threatened and Endangered Species and 19 Other Species by the City of Poway and its Redevelopment Agency, in San Diego County, California.

**SUMMARY:** This notice advises the public that the City of Poway and its Redevelopment Agency (applicants) have applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (PRT-803743) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The application package includes a Habitat Conservation Plan (HCP) and Implementing Agreement (IA). The proposed incidental take would occur as a result of habitat disturbance associated with residential and limited municipal development. The requested permit would authorize incidental take of the threatened coastal California gnatcatcher (*Polioptila californica californica*), endangered least Bell's vireo (*Vireo bellii pusillus*), and endangered southwestern willow flycatcher (*Empidonax traillii extimus*).

The applicants also request coverage of an additional 19 unlisted, sensitive species (11 plant, 8 animal) that occur within the City's jurisdiction. The HCP proposes to conserve all 22 species according to standards required for listed species under the Act, such that, barring unforeseen circumstances, the unlisted species could be amended to the 10(a)(1)(B) permit to authorize incidental take of these species should they be federally listed within the term of the 50-year permit. Concurrent with the proposed issuance of the Federal 10(a)(1)(B) permit, the California Department of Fish and Game proposes to issue a management authorization for the 22 species under section 2081 of the California Endangered Species Act.

Preparation of the HCP is a condition of Service approval of a significant roadway extension project, which will require significant mitigation. Federal approval of the HCP also is required as part of the special 4(d) rule for the California gnatcatcher (58 FR 65088). 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, NCCP Process Guidelines, and NCCP Southern California Coastal Sage Scrub Conservation Guidelines.

In addition to the permit application, the Service also announces the availability of an Environmental Assessment (EA). The EA evaluates the effects on the human environment of the proposed action: issuance of the incidental take permit and approval of the HCP and IA. 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 permit application and EA should be received on or before July 21, 1995.

**ADDRESSES:** Comments regarding the adequacy of the HCP, IA, and EA should be addressed to Mr. Gail Kobetich, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, CA 92008; FAX (619) 431-9618. Please refer to permit No. PRT-803743 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Nancy Gilbert, Fish and Wildlife Biologist, at the above address, telephone (619) 431-9440. Individuals wishing copies of the application and EA for review should immediately contact Ms. Gilbert.

**SUPPLEMENTARY INFORMATION:** The "take" of threatened and endangered species is prohibited under section 9 of the Act and its implementing regulations. Take is defined, in part, as killing, harming, or harassing listed species, including significant habitat modification that results in death of or injury to listed species. Under limited circumstances, the Service may issue permits to take listed species if such taking is incidental to otherwise lawful activities. Regulations governing permits are in 50 CFR 17.22 and 17.32.

The proposed action would allow incidental take of 3 listed animal species and up to 19 other species within the City of Poway. The City has jurisdiction over 24,999 acres, of which approximately 16,678 acres are natural habitats. To minimize and mitigate the impacts of the proposed take, the applicants propose to implement the HCP within an approximate 13,000-acre Resource Conservation Area (RCA). The RCA includes 78 percent of all remaining undeveloped habitat and 85 percent of the California gnatcatcher habitat (coastal sage scrub) under City jurisdiction. Nearly the entire extant gnatcatcher population within the planning area occurs within the RCA. The endangered southwestern willow flycatcher and least Bell's vireo potentially occur within the riparian

habitat of the RCA, proposed for nearly 100 percent conservation.

Residential, limited commercial, and limited public infrastructure development is planned within and beyond the RCA. Some of these projects will result in loss of natural habitats.

An estimated 200 pairs of gnatcatchers occur within the RCA on 6,210 of the remaining 7,300 acres of coastal sage scrub within the planning area. Approximately 90 percent of the coastal sage scrub within the RCA is proposed to be conserved through various measures, resulting in a net loss of approximately 20 pairs.

The applicants propose to mitigate for take of the gnatcatcher by preserving the above mentioned amount of habitat through direct acquisition of habitat and through protective restrictions or easements on lands remaining in private ownership. Acquisition revenues are expected from mitigation fees for development of coastal sage scrub within and beyond the RCA, through a provision of the NCCP process.

Mitigation credits also are anticipated to be sold to parties outside of the City of Poway's jurisdiction, as approved by the Service. The level of allowable residential development within the RCA would be determined by existing low-density zoning (various levels) and by the availability of municipal water supply (the lack of which would prevent higher building densities). Currently, the majority of the RCA is not served by municipal water. Existing land-use restrictions would limit the amount of development to 2 acres per parcel. Mitigation areas for these impacts would be preserved in a natural state by resource-management zoning. The balance of mitigation lands remaining in private ownership would be protected by ordinance.

The potential multiple-species preserve system would be built by incremental additions at the parcel level. These additions are proposed to augment and connect an existing system of currently disjunct, publicly owned lands via resource-management zoning. Other elements of the HCP address preserve planning in a regional context: currently, private lands with especially high biological value have been identified for priority acquisition so as to ensure the preservation of unconstrained wildlands and their linkage within and beyond the RCA. Selective siting of development at the parcel level is further proposed to minimize impacts to relatively rare and sensitive biological habitats and features. The achievement of a viable, connected natural preserve system is proposed under the HCP. The HCP

includes alternatives ranging from complete preservation of native habitats within the RCA to separate, project-level efforts.

The EA considers the environmental consequences of four alternatives, including the proposed action. Under the no action alternative, the proposed HCP would not be implemented. The applicants would either avoid take of listed species within the planning area, or apply for individual 10(a)(1)(B) 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. 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 a coordinated preserve system. Under a third alternative, the proposed RCA boundary would consist only of lands already preserved in Poway; i.e., cornerstone lands as identified in the HCP, the parcels purchased for mitigation of the Scripps-Poway Parkway Extension project, and slopes over 45 percent within the RCA. No other lands would be included in the RCA or added to the preserve. The fourth alternative would preserve all identified habitat and species within the RCA. Development would be prohibited within the proposed RCA boundary except on already disturbed areas where such development would not impact the viability of the proposed RCA.

(Application for a Permit to Allow Incidental Take of 3 Threatened and Endangered Species and 19 Other Species by the City of Poway and its Redevelopment Agency, in San Diego County, California)

Dated: June 15, 1995.

**William F. Shake,**  
Acting Deputy Regional Director, Region 1,  
Portland, Oregon.

[FR Doc. 95-15149 Filed 6-20-95; 8:45 am]  
BILLING CODE 4310-55-P

#### Fish and Wildlife Service

##### North American Wetlands Conservation Council; Meeting Announcement

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** The North American Wetlands Conservation Council (Council) will meet on July 19 to review

proposals for funding submitted pursuant to the North American Wetlands Conservation Act. Upon completion of the Council's review, proposals will be submitted to the Migratory Bird Conservation Commission with recommendations for funding. The meeting is open to the public.

**DATES:** July 19, 1995, 9:00 a.m.

**ADDRESSES:** The meeting will be held at the Pines Resort Hotel on Shore Road in Digby, Nova Scotia, Canada. The North American Wetlands Conservation Council Coordinator is located at U.S. Fish and Wildlife Service, Arlington Square Building, 4401 N. Fairfax Drive, Suite 110, Arlington, Virginia 22203.

**FOR FURTHER INFORMATION CONTACT:** Coordinator, North American Wetlands Conservation Council, (703) 358-1784.

**SUPPLEMENTARY INFORMATION:** In accordance with the North American Wetlands Conservation Act (P.L. 101-233, 103 Stat. 1968, December 13, 1989), the North American Wetlands Conservation Council is a Federal-State-Private body which meets to consider wetland acquisition, restoration, enhancement and management projects for recommendation to and final approval by the Migratory Bird Conservation Commission. Proposals from State and private sponsors require a minimum of 50 percent non-Federal matching funds.

Dated: June 14, 1995.

**Mollie H. Beattie,**

Director, U.S. Fish and Wildlife Service.

[FR Doc. 95-15152 Filed 6-20-95; 8:45 am]

BILLING CODE 4310-55-M

#### INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-700 (Final)]

##### Disposable Lighters From the People's Republic of China

##### Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the Commission determines,<sup>2</sup> pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1673d(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from the People's Republic of

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioners Rohr and Newquist dissenting.