

residential, commercial, and industrial construction, along with a county-wide fee of \$250/acre for platted subdivisions, condominiums, townhomes, and planned unit developments. The implementing agreement describes the mechanisms of implementation of the measures in the HCP.

Three alternatives are under consideration in the draft Washington County Habitat Conservation Plan Environmental Impact Statement (Statement). Issuance of the permit with the mitigation, minimization, and monitoring measures outlined in the HCP is the Service's preferred action and is discussed above. The Statement also outlines alternative measures that may be considered by the Service in issuing the permit. The second alternative analyzed is somewhat similar to the first alternative, except that a smaller desert habitat reserve is proposed. The proposed reserve under this alternative is 44,451 acres, and the incidental take area is 15,128 acres. Unlike the preferred alternative, and counter to what is recommended in the desert Tortoise Recovery Plan, this alternative excludes Zones 1 and 2 (west of Utah Highway 18) from the reserve. This alternative was not identified as the preferred alternative primarily because the small size of the reserve would not allow for the long-term survival of the desert tortoise, and accordingly, would preclude the possibility of recovery of the species (i.e., removal from the endangered species list). The third alternative selected for detailed evaluation is an alternative of no action. 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 possible concentrate activity on individual project needs and not meet the purpose and need of the Applicant. Development of private lands in desert tortoise habitat would be governed by the Act section 7 (if applicable) and section 9. Additionally, the No Action alternative would not provide the benefits of long-term recovery efforts for the desert tortoise identified in the HCP. Without protection, this population of desert tortoise would likely not persist in proximity to these urban areas over the long-term without comprehensive, long-term conservation measures.

In the development of the Statement, the Service initiated action to ensure compliance with the purpose and intent of National Environmental Policy Act (NEPA). Scoping activities were undertaken preparatory to development of the Statement with a variety of

Federal, State, and local entities. A Notice of Intent to prepare the Statement was published on December 2, 1991 (56 FR 61259), five public scoping meetings pursuant to NEPA were held in December 1991 in Washington County, and an additional public open house and question-and-answer session was held in St. George, Utah, on February 22, 1995. The purpose of this meeting was to update the public on changes made to the previous draft of the HCP.

Key issues addressed in the Statement include: (1) Impacts to the economy of Washington County, (2) Impacts on threatened, endangered, and sensitive species, (3) impacts on multiple-use activities in reserve areas, (4) impacts on State school trust lands, (5) impacts to private landowners, (6) impacts to livestock grazing and other agricultural practices, and (7) impacts on Virgin River flows.

The underlying goal of the proposed action is to develop and implement a program designed to ensure the continued existence of the species, while resolving potential conflicts that may arise from otherwise lawful private projects. The HCP creates an ongoing administration for the purposes of minimizing, mitigating, and monitoring impacts on the desert tortoise, as well as a framework for providing protection for candidate and sensitive species.

#### Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: June 27, 1995.

**Terry T. Terrell,**

*Deputy Regional Director.*

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#### National Park Service

##### Maine Acadian Culture Preservation Commission; Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) that the Maine Acadian Culture Preservation Commission will meet on Thursday, August 17, 1995. The meeting will convene at 7:00 p.m. in the chapel of the former church now maintained as a cultural center by *l'association culturelle et historique—Mont Carmel* on U.S. Route 1 in Lille, Aroostook County, Maine. Lille, on the banks of the St. John River, is located midway

between Van Buren and Madawaska, Maine.

The eleven-member Maine Acadian Culture Preservation Commission was appointed by the Secretary of the Interior pursuant to the Maine Acadian Culture Preservation Act (Pub. L. 101-543). The purpose of the Commission is to advise the National Park Service with respect to:

- The development and implementation of an interpretive program of Acadian culture in the state of Maine; and
- The selection of sites for interpretation and preservation by means of cooperative agreements.

The Agenda for this meeting is as follows:

1. Review and approval of the summary report of the meeting held April 7, 1995.
2. Report on the commission workshop held at Roosevelt Campobello International Historic Park and visit to Saint Croix Island International Historic Site, June 21—23, 1995.
3. Reports of Maine Acadian Culture Preservation Commission working groups.
4. Report of the National Park Service planning team and project staff.
5. Opportunity for public comment.
6. Proposed agenda, place, and date of the next Commission meeting.

The meeting is open to the public. Further information concerning Commission meetings may be obtained from the Superintendent, Acadia National Park. Interested persons may make oral/written presentations to the Commission or file written statements. Such requests should be made at least seven days prior to the meeting to: Superintendent, Acadia National Park, P.O. Box 177, Bar Harbor, ME 04609-0177; telephone (207) 288-5472.

Dated: July 7, 1995.

**George Price,**

*Acting Deputy Field Director.*

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#### INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32732]

##### East Penn Railways, Inc.—Modified Rail Certificate

On June 26, 1996, East Penn Railways, Inc. (EPRY), filed a notice for a modified certificate of public convenience and necessity under 49 CFR 1150, subpart C, to operate three rail lines as follows: (1) The Perkiomen Branch, USRA Line No. 906, between milepost 22.38 at