

Group consists of 17 members representing the following principal interests: sport hunting and fishing, environmental, public-at-large (5), recreation users, local government, science/academic, conservation, subsistence, commercial fishing, aquaculture, commercial tourism, forest products, and Native landowners. Members were appointed to serve a two-year term.

To carry out its advisory role, the Advisory Group makes recommendations, to, and advises, the Trustee Council in Alaska on the following matters:

All decisions related to injury assessment, restoration activities, or other use of natural resource damage recovery monies obtained by the government, including all decisions regarding:

- a. Planning, evaluation and allocation of available funds;
- b. Planning, evaluation and conduct of injury assessment; and
- c. Planning, evaluation and conduct of restoration activities.

Trustee Council intentions regarding the importance of obtaining a diversity of viewpoints is stated in the *Public Advisory Group Background and Guidelines* (March 1993, updated June 1994): "The Trustee Council intends that the Public Advisory Group be established as an important component of the Council's public involvement process." The Council continues, stating their desire that "\* \* \* a wide spectrum of views and interest are available for the Council to consider as it evaluates, develops, and implements restoration activities. It is the Council's intent that the diversity of interests and views held by the Public Advisory Group members contribute to wide ranging discussions that will be of benefit to the Trustee Council."

In order to ensure that a broad range of public viewpoints continues to be available to the Trustee Council, and in keeping with the settlement agreement, the Public Advisory Group is being renewed for another two-year period.

#### Certification

I hereby certify that the renewal of the Charter of the Public Advisory Group, an advisory committee to make recommendations to and advise the Exxon Valdez Oil Spill Trustee Council in Alaska, is necessary and in the public interest in connection with the performance of duties mandated by the settlement of *United States v. State of Alaska*, No. A91-081 CV, and is in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended and supplemented.

Dated: January 28, 1997.  
Bruce Babbitt,  
*Secretary of the Interior.*  
[FR Doc. 97-3588 Filed 2-12-97; 8:45 am]  
BILLING CODE 4310-10-M

#### Fish and Wildlife Service

##### Notice of Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*):

*Applicant:* Michael Horovitz,  
Savannah, GA, PRT-824931.

The applicant requests a permit authorizing interstate commerce to acquire one radiated tortoise (*Geochelone radiata*) for the purpose of enhancement of the species through captive propagation.

*Applicant:* National Zoological Park,  
Washington, DC, PRT-824960

The applicant requests a permit authorizing the import of blood and tissue samples taken from wild black rhinoceros (*Diceros bicornis*) from South Africa for the purpose of scientific research and enhancement of survival of the species.

*Applicant:* Mary Katherine Gonder,  
New York, NY, PRT-810330.

The applicant requests a permit amendment to import hair samples of chimpanzee (*Pan troglodytes*) collected from zoo specimens and sleeping nests in Cameroon for enhancement of the species through scientific research.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications 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 following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203. Phone: (703/358-2104); FAX: (703/358-2281).

Dated: February 7, 1997.  
Mary Ellen Amtower,  
*Acting Chief, Branch of Permits, Office of Management Authority.*  
[FR Doc. 97-3513 Filed 2-12-97; 8:45 am]  
BILLING CODE 4310-55-P

##### Availability of an Environmental Assessment and Receipt of an Application Submitted by the Charles Ingram Lumber Company for an Incidental Take Permit for Red-cockaded Woodpeckers in Association With Management Activities on Their Property in Florence County, South Carolina

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

**ACTION:** Notice.

**SUMMARY:** The Charles Ingram Lumber Company (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (ITP) pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The proposed permit would authorize the incidental take of a Federally endangered species, the red-cockaded woodpecker, *Picoides borealis* (RCW), known to occur on property owned by the Applicant in Florence County, South Carolina. The Applicant is requesting an ITP in order to harvest the timber on their property for economic reasons. The Applicant's property, known as Hoods Crossing, is located approximately five miles northwest of Pamplico in Florence County. The tract consists of 753 acres of which 364 acres is in pine plantation aged between 1-15 years, 382 acres in mature timber, and approximately 7 acres in ditches and roads. The proposed permit would authorize incidental take of a single RCW at Hoods Crossing in exchange for mitigation elsewhere as described further in the **SUPPLEMENTARY INFORMATION** section below.

The Service also announces the availability of an environmental assessment (EA) and habitat conservation plan (HCP) for the incidental take application. Copies of the EA and/or HCP may be obtained by making a request to the Regional Office (see **ADDRESSES**). This notice also advises the public that the Service has made a preliminary determination that issuing the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), as amended. The Finding of No Significant Impact (FONSI) is

based on information contained in the EA and HCP. The final determination will be made no sooner than 30 days from the date of this notice. This notice is provided pursuant to Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application, EA, and HCP should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before March 17, 1997.

**ADDRESSES:** Persons wishing to review the application, HCP, and EA may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or at the following Field Offices: Field Supervisor, U.S. Fish and Wildlife Service, P.O. Box 12559, Charleston, South Carolina 29422-2559; Red-cockaded Woodpecker Recovery Coordinator, U.S. Fish and Wildlife Service, College of Forest and Recreational Resources, 261 Lehotsky Hall, Box 341003, Clemson, South Carolina 29634-1003 (telephone 864/656-2432). Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Requests for the documentation must be in writing to be processed. Comments must be submitted in writing to be processed. Please reference permit number PRT-822028 in such comments, or in requests of the documents discussed herein.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick G. Gooch, Regional Permit Coordinator, (see **ADDRESSES** above), telephone: 404/679-7110; or Ms. Lori Duncan, Fish and Wildlife Biologist, Charleston Field Office, (see **ADDRESSES** above), telephone: 803/727-4707 extension 21.

**SUPPLEMENTARY INFORMATION:** The RCW is a territorial, non-migratory cooperative breeding bird species. RCWs live in social units called groups which generally consist of a breeding pair, the current year's offspring, and one or more helpers (normally adult male offspring of the breeding pair from previous years). Groups maintain year-round territories near their roost and nest trees. The RCW is unique among the North American woodpeckers in that it is the only woodpecker that excavates its roost and nest cavities in living pine trees. Each group member has its own cavity, although there may be multiple cavities in a single pine tree. The aggregate of cavity trees is called a

cluster. RCWs forage almost exclusively on pine trees and they generally prefer pines greater than 10 inches diameter at breast height. Foraging habitat is contiguous with the cluster. The number of acres required to supply adequate foraging habitat depends on the quantity and quality of the pine stems available.

The RCW is endemic to the pine forests of the Southeastern United States and was once widely distributed across 16 States. The species evolved in a mature fire-maintained ecosystem. The RCW has declined primarily due to the conversion of mature pine forests to young pine plantations, agricultural fields, and residential and commercial developments, and to hardwood encroachment in existing pine forests due to fire suppression. The species is still widely distributed (presently occurs in 13 southeastern states), but remaining populations are highly fragmented and isolated. Presently, the largest known populations occur on Federally owned lands such as military installations and national forests.

In South Carolina, there are an estimated 1,000 active RCW clusters as of 1992; 53 percent are on Federal lands, 7 percent are on State lands, and 40 percent are on private lands.

There has not been a complete inventory of RCWs in South Carolina so it is difficult to precisely assess the species' overall status in the State. However, the known populations on public lands are regularly monitored and generally considered stable. While several new active RCW clusters have been discovered on private lands over the past few years, many previously documented RCW clusters have been lost. It is expected that the RCW population on private lands in South Carolina will continue to decline, especially those from small tracts isolated from other RCW populations.

There is only one known RCW cluster at Hoods Crossing. The cluster consists of one active and six inactive cavity trees. A single male RCW is known to occupy the cluster. The nearest known RCW group to Hoods Crossing is approximately 5 miles away on private land in Williamsburg County. The nearest known concentration of RCW groups occurs approximately 40 miles away to the north at Sandhills State Forest in Chesterfield County and to the south approximately 25 miles near Hemingway in Williamsburg County.

The Applicant proposes to harvest the timber at Hoods Crossing for economic reasons. The Hoods Crossing property has very limited suitable habitat and is relatively isolated from other RCW populations. Without management, the

midstory would continue to encroach and the RCW would most likely abandon the tract.

The EA considers the environmental consequences of three alternatives, including the proposed action. The proposed action alternative is issuance of the incidental take permit and implementation of the HCP as submitted by the Applicants. The HCP provides for an off-site mitigation strategy focusing on enhancing four clusters in designated recruitment stands at Cheraw State Park through cavity provisioning. Cheraw State Park is located in a designated recovery population for RCWs. The recruitment sites will be managed and protected. The Applicant, via their consultant, will attempt to translocate the adult male RCW from Hoods Crossing to Poinsett Weapons Range in Sumter County. The HCP provides a funding source for the above-mentioned mitigation measures.

As stated above, the Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of NEPA. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA and HCP. An appropriate excerpt from the FONSI reflecting the Service's finding on the application is provided below:

Based on the analysis conducted by the Service, it has been determined that:

1. Issuance of an ITP would not have significant effects on the human environment in the project area.
2. The proposed take is incidental to an otherwise lawful activity.
3. The Applicant has ensured that adequate funding will be provided to implement the measures proposed in the submitted HCP.
4. Other than impacts to endangered and threatened species as outlined in the documentation of this decision, the indirect impacts which may result from issuance of the ITP are addressed by other regulations and statutes under the jurisdiction of other government entities. The validity of the Service's ITP is contingent upon the Applicant's compliance with the terms of the permit and all other laws and regulations under the control of State, local, and other Federal governmental entities.

The Service will also evaluate whether the issuance of a Section 10(a)(1)(B) ITP complies with Section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the biological opinion, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

On Thursday, January 16, 1997, the Service published a notice in the Federal Register announcing the Final Revised Procedures for implementation of NEPA (NEPA Revisions), (62 FR 2375-2382). The NEPA revisions update the Service's procedures, originally published in 1984, based on changing trends, laws, and consideration of public comments. Most importantly, the NEPA revisions reflect new initiatives and Congressional mandates for the Service, particularly involving new authorities for land acquisition activities, expansion of grant programs and other private land activities, and increased Endangered Species Act permit and recovery activities. The revisions promote cooperating agency arrangements with other Federal agencies; early coordination techniques for streamlining the NEPA process with other Federal agencies, Tribes, the States, and the private sector; and integrating the NEPA process with other environmental laws and executive orders. Section 1.4 of the NEPA Revisions identify actions that may qualify for Categorical Exclusion. Categorical exclusions are classes of actions which do not individually or cumulatively have a significant effect on the human environment. Categorical exclusions are not the equivalent of statutory exemptions. If exceptions to categorical exclusions apply, under 516 DM 2, Appendix 2 of the Departmental Manual, the departmental categorical exclusions cannot be used. Among the types of actions available for a Categorical Exclusion is for a "low effect" HCP/incidental take permit application. A "low effect" HCP is defined as an application that, individually or cumulatively, has a minor or negligible effect on the species covered in the HCP [Section 1.4(C)(2)].

The Service may consider the Applicant's project and HCP such a Categorical Exclusion, since the project's habitat currently contains only a single RCW. The Service is soliciting for public comments on this determination. The Service is announcing the availability of the EA since the project's environmental documents were finalized shortly after the NEPA Revisions were released. However, the Service may make a final determination that this action is categorically excluded.

Dated: February 6, 1997.  
C. Monty Halcomb,  
*Acting Regional Director.*  
[FR Doc. 97-3583 Filed 2-12-97; 8:45 am]  
BILLING CODE 4310-55-P

### **Klamath Fishery Management Council; Meeting**

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

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), this notice announces a meeting of the Klamath Fishery Management Council, established under the authority of the Klamath River Basin Fishery Resources Restoration Act (16 U.S.C. 460ss *et seq.*). The Klamath Fishery Management Council makes recommendations to agencies that regulate harvest of anadromous fish in the Klamath River Basin. The purpose of this meeting will be to develop a range of options for the 1997 fishery management season for discussion with the Salmon Advisory Subpanel of the Pacific Fishery Management Council. The meeting is open to the public.

**DATES:** The Klamath Fishery Management Council will meet from 1:00 p.m. to 5:00 p.m. on Sunday, March 2, 1997.

**PLACE:** The meeting will be held at the Red Lion Hotel, Lloyd Center, 1000 N.E. Multnomah, Portland, OR.

**FOR FURTHER INFORMATION CONTACT:** Dr. Ronald A. Iverson, Project Leader, U.S. Fish and Wildlife Service, P.O. Box 1006 (1215 South Main), Yreka, California 96097-1006, telephone (916) 842-5763.

**SUPPLEMENTARY INFORMATION:** For background information on the Klamath Council, please refer to the notice of its initial meeting that appeared in the Federal Register on July 8, 1987 (52 FR 25639).

Dated: February 6, 1997.  
Thomas J. Dwyer,  
*Acting Regional Director.*  
[FR Doc. 97-3584 Filed 2-12-97; 8:45 am]  
BILLING CODE 4310-55-P

### **Bureau of Land Management**

[NM-017-1430-001/G-010-G7-0201/7-21749I-LM]

#### **Shooting Closure on Public Lands in San Ysidro, NM**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Shooting Closure in Rio Salado Riparian Perea Nature Trail.

**SUMMARY:** The Bureau of Land Management (BLM), Rio Puerco Resource Area is closing approximately

320 acres of public lands in the Rio Puerco Resource Area, located in Sandoval County, New Mexico, to the discharge of firearms (including black powder and antique arms). This action will provide the necessary public safety and will also decrease potential conflicts with recreational users. Unrestricted discharge of firearms in this area by visitors hiking the Perea Nature trail and the people that live in the village of San Ysidro in close proximity to the area. State Highway No. 44 has heavy traffic throughout the year which borders the east and north sides of the area. The subject lands are contiguous to private lands and in close proximity to business establishments and residential dwellings. Neo-tropical migrant birds and other birds are disturbed by indiscriminate shooting in the area, excluding the Rio Grande Retrievers. The Rio Grande Retrievers practice in the area with blank cartridges, which have no potential conflict on the visitors.

The public lands closed to discharging of firearms under this closure will be posted with signs at the most prominent points of public access.

**EFFECTIVE DATE:** Notice is hereby given that effective February 13, 1997, shooting on public lands is prohibited on approximately one section of public lands in Sandoval County, New Mexico.

**SUPPLEMENTARY INFORMATION:** The public lands affected by this closure are described as follows:

New Mexico Principal Meridian  
T. 15 N., R. 1 E.,  
Secs. 12, NW¼, NE¼;  
Containing approximately 320 acres.

The purpose of this action is to enhance visitors safety on public lands and allow the public to enjoy the nature trail and observe wildlife in the area free from the shooting hazard. This designation remains in effect until further notice. This closure order is in accordance with the provisions of 43 CFR 8364.1, and applies to all persons.

**FOR FURTHER INFORMATION CONTACT:** Joe Jaramillo, Realty Specialist, Bureau of Land Management, Rio Puerco Resource Area, 435 Montano, NE., Albuquerque, New Mexico 87107, (505) 761-8779.

Michael R. Ford,  
*District Manager.*  
[FR Doc. 97-3562 Filed 2-12-97; 8:45 am]

BILLING CODE 4310-AG-M