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Dated: April 8, 1998.

**Paul A. Leonard,**

*Deputy Assistant Secretary for the Office of Policy Development.*

[FR Doc. 98-10015 Filed 4-14-98; 8:45 am]

BILLING CODE 4210-62-M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for an Incidental Take Permit

**ACTION:** Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction and Operation of a residential and commercial development on approximately 219 acres of the 498-acre Vista Royale Property, Lakeway, Travis County, Texas.

**SUMMARY:** Lakeway Vista Royale, Ltd. (applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The applicant has been assigned permit number PRT-812695. The requested permit, which is for a period of 30 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as result of the construction and operation of a residential and commercial development on approximately 219 acres of the 498-acre Vista Royale Property located in Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take applications. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until, at a minimum, 30 days from the date of publication of this notice. This notice is provided pursuant to Section 10(a) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the application should be received on or before May 15, 1998.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Assistant Regional Director, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103.

Documents will be available for public inspection by appointment only during normal business hours (8:00 to 4:30). Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Supervisor, Ecological Field Office, U.S. Fish and Wildlife Service, 10711 Burnet Rd., Austin, Texas 78758. Please refer to permit number PRT-812695 when submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Sybil Vosler at the above Austin Ecological Service Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

#### Applicant

Lakeway Vista Royale, Ltd. plans to construct a residential and commercial development on the 498-acre tract and will preserve approximately 198 acres of golden-cheeked warbler habitat on site. The construction will be located at the Vista Royale property located southeast and directly adjacent to the City of Lakeway and approximately 2 miles northwest of the Village of Bee Cave and roughly 14 miles west-northwest of the downtown City of Austin. The preserved area will be maintained in its natural state and title or conservation easement granted in perpetuity and will be held by a nonprofit conservation organization or governmental agency approved by the Service.

Alternatives to this action were rejected because selling or not developing the subject property with federally listed species present was not economically feasible.

#### Renne Lohofener,

*Acting Regional Director, Region 2, Albuquerque, New Mexico.*

[FR Doc. 98-9774 Filed 4-14-98; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[ES-030-08-1310-01]

#### Notice of Availability; Mosquito Creek Lake Draft Planning Analysis Environmental Assessment

**AGENCY:** Bureau of Land Management, Milwaukee Field Office, Interior.

**ACTION:** Notice of availability and notice of comment period and public meetings.

**SUMMARY:** Pursuant to the Federal Land Policy and Management Act of 1976 and National Environmental Policy Act of 1969, as amended, and in cooperation and coordination with the U.S. Army Corps of Engineers (COE) and the Ohio Department of Natural Resources, notice is hereby given that the Bureau of Land Management (BLM), Milwaukee Field Office, has prepared the Mosquito Creek Lake Draft Planning Analysis and Environmental Assessment (PA/EA) for oil and gas leasing. The purpose of the Draft PA/EA is to assess the impacts of leasing and subsequent development of Federal oil and gas reserves under the COE's Mosquito Creek Lake project in Trumbull County, Ohio. Copies are available for public and agency review from the address below. This notice also announces that comments on the Draft PA/EA will be received and public meetings for the purpose of receiving comments on the Draft document will be held. Other meetings may be scheduled at the request of the public and other governmental entities.

**DATES:** Written comments on the Draft PA/EA must be postmarked no later than June 14, 1998. Oral and/or written comments may be presented at two scheduled public meetings. The first will be held on May 11, 1998, in the Warren City Council Chambers, Municipal Justice Building, 141 South Street S.E., Warren, Ohio. The second will be held on May 12, 1998, at Cortland Elementary School, 264 Park Avenue in Cortland, Ohio. Both meetings will be held from 7 p.m. to 9 p.m. with registration beginning at 6:30 p.m. The comment period for the Draft PA/EA commences with the publication of this notice.

**ADDRESSES:** Written comments should be addressed to the Field Manager, Bureau of Land Management, Milwaukee Field Office, PO Box 631, Milwaukee, Wisconsin 53201-0631.

**FOR FURTHER INFORMATION CONTACT:** Terry Saarela, Team Leader, at (414) 297-4437, or Chris Hanson, Assistant Field Manager, Division of Natural Resource Management at (414) 297-4421.