

The outcome of this planning process will be a CCP to guide refuge management for the next 15 years, and associated NEPA document.

It is estimated that a draft CCP and NEPA document will be made available for public review in spring 1999.

Dated: December 21, 1998.

**Elizabeth H. Stevens,**

*Acting Manager, California/Nevada Operations, US Fish and Wildlife Service, Sacramento, California.*

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BILLING CODE 4310-55-P

## 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 for Construction and Operation of a Residential and Commercial Development on Approximately 471.5 Acres of the 714-Acre Balfour Tract, Austin, Travis County, Texas**

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

**ACTION:** Notice.

**SUMMARY:** BRE/Baldwin, L.P. (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 TE-003593-0. 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 a result of the construction and operation of a residential and commercial development on approximately 471.5 acres of the 714-acre Balfour Tract located in Austin, Travis County, Texas.

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

**DATES:** Written comments on the application should be received on or before January 29, 1999.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by

writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Sybil Vosler, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). 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 and EA/HCP 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 TE-003593-0 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:* BRE/Baldwin, L.P. plans to construct a residential and commercial development on the 714-acre tract and will preserve a minimum of 121 acres of golden-cheeked warbler habitat on-site. An additional 124 acres of golden-cheeked warbler habitat will be purchased and preserved off-site. The construction will be located at the Balfour Tract, located approximately 1-mile east of the City of Lakeland Park (across the Colorado River) and approximately 3 miles northeast of the Village of Bee Cave and roughly 11 miles west of the downtown City of Austin. The preserved areas will be maintained in their natural state and title or conservation easement granted in perpetuity and will be held by a non-profit conservation organization or governmental agency approved by the Service.

Alternatives to this action were considered; however, increased development would result in greater levels of take of golden-cheeked warblers, and selling or not developing the subject property with federally listed species present was not economically feasible.

**Geoffrey L. Haskett,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Bureau of Land Management

#### **Preparation of an Environmental Impact Statement for Federal Permits Associated With Construction and Operation of the High Desert Power Plant Project, Victorville, San Bernardino County, CA**

**AGENCY:** Fish and Wildlife Service, Interior (Lead Agency); Bureau of Land Management, Interior (Cooperating Agency).

**ACTION:** Notice of intent; announcement of meeting.

**SUMMARY:** The Fish and Wildlife Service, with the Bureau of Land Management as a cooperator, intends to prepare an Environmental Impact Statement. This Impact Statement will consider the Federal actions associated with the High Desert Power Plant Project. Specifically, the Fish and Wildlife Service proposes to issue an Endangered Species Act permit to the High Desert Power, Limited Liability Company, and other project proponents for take of the desert tortoise (*Gopherus agassizii*), a threatened species under the Federal Endangered Species Act, and for the future take, should it be needed, of the Mohave ground squirrel (*Spermophilus mohavensis*) and the burrowing owl (*Athene cunicularia*), a threatened species and a sensitive species, respectively, under the California Endangered Species Act. Take of these species would be incidental to the construction and operation of a natural gas power plant, electric lines, gas lines, and water lines associated with the High Desert Power Project. As part of the proposed action for the project, the Bureau of Land Management proposes to issue a right-of-way grant under Section 28 of the Mineral Leasing Act of 1920 to the Southwest Gas Corporation for the construction and maintenance of a natural gas pipeline through Federal lands designated as desert tortoise critical habitat and managed by the Bureau.

The purpose of scoping is to obtain suggestions and information from other agencies and the public on the range of issues and alternatives to be considered in preparation of the Environmental Impact Statement. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public. This notice is provided pursuant to the Council on Environmental Quality regulations for