

Dated: January 12, 1999.

**Michael A. Friedman,**

*Deputy Commissioner for Operations.*

[FR Doc. 99-1147 Filed 1-19-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of One Single Family Residence on 0.75 Acre of the 10.117 Acres on City Park Road in Travis County, TX

**SUMMARY:** Mark A. and Brenda J. Hogan (Applicants) have applied to the U.S. 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-005497-0. The requested permit, which is for a period of 5 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 of one single family residence on City Park Road, 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 National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the application should be received on or before February 19, 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 Christina Longacre, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Field Office,

Austin, Texas at the above address. Please refer to permit number TE-005497-0 when submitting written comments.

**FOR FURTHER INFORMATION CONTACT:** Christina Longacre 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:** Mark A. and Brenda J. Hogan plan to construct a single family residence on City Park Road, Austin, Travis County, Texas. This action will eliminate less than one acre of habitat and indirectly impact less than four additional acres of golden-cheeked warbler habitat. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by donating \$1,500 into the Balcones Canyonlands Preserve to acquire/manage lands for the conservation of the golden-cheeked warbler and place the remaining balance of the property in a conservation easement in perpetuity.

Alternatives to this action were rejected because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would not decrease the impacts.

**Geoffrey L. Haskett,**

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

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

(WY-920-09-1320-01); WYW147720

#### Notice of Invitation for Coal Exploration License

**SUMMARY:** Pursuant to section 2(b) of the Mineral Leasing Act of February 25, 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976, 90 Stat. 1083, 30 U.S.A. 201(b), and to the regulations adopted as 43 CFR Subpart 3410, all interested parties are hereby invited to participate with Amax Coal West, Inc., on a pro rata cost sharing basis in its program for the exploration of coal deposits owned by the United States of America in the

following-described lands in Campbell County, WY:

T. 48 N., R. 71 W., 6th P.M., Wyoming

Sec. 17: Lots 11-14;

Sec. 18: Lots 5-19;

Sec. 19: Lots 5-19;

Sec. 20: Lots 1-16;

Sec. 21: Lots 11-14;

Sec. 28: Lots 3-6;

Sec. 29: Lots 1, 6;

T. 48 N., R. 72 W., 6th P.M., Wyoming

Sec. 13: Lots 1-15;

Sec. 24: Lots 1-16;

Sec. 25: Lots 1-16.

Containing 4366.86 acres, more or less.

All of the coal in the above-described land consists of unleased Federal coal within the Powder River Basin Known Recoverable Coal Resource Area. The purpose of the exploration program is to obtain coal quality data.

**ADDRESSES:** The proposed exploration program is fully described and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management. Copies of the exploration plan are available for review during normal business hours in the following offices (serialized under number WYW147720): Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, P.O. Box 1828, Cheyenne, WY 82003; and, Bureau of Land Management, Casper Field Office, 1701 East "E" Street, Casper, WY 82601.

**SUPPLEMENTARY INFORMATION:** This notice of invitation will be published in The "News-Record" of Gillette, WY, once each week for two consecutive weeks beginning the week of January 18, 1999, and in the **Federal Register**. Any party electing to participate in this exploration program must send written notice to both the Bureau of Land Management and Amax Coal West, Inc. no later than thirty days after publication of this invitation in the **Federal Register**. The written notice should be sent to the following addresses: Amax Coal West, Inc., Belle Ayr Mine, Attn: Robin Carlson, Caller Box 3039, Gillette, WY 82717-3039, and the Bureau of Land Management, Wyoming State Office, Minerals and Lands Authorization Group, Attn: Mavis Love, P.O. Box 1828, Cheyenne, WY 82003.

The foregoing is published in the **Federal Register** pursuant to 43 CFR, Section 3410.2-1(c)(1).

Dated: January 11, 1999.

**Mavis Love,**

*Acting Chief, Leasable Minerals Section.*

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