

designed to monitor the success of its implementation.

The monitoring program includes three components: (1) An effectiveness monitoring protocol implemented yearly to detect statewide trends of the Karner blue butterfly habitat, presence and relative abundance, (2) self-monitoring to integrate partner survey and management information, and (3) an adaptive management approach. As part of an adaptive management approach, the partners have agreed that modified conservation measures and alternative management regimes will be implemented if monitoring indicates that conservation efforts do not produce the anticipated, desirable result for the butterfly.

The stated biological goal of this HCP is no-net-loss of habitat for the Karner blue butterfly over the life of the plan. A primary objective is to maintain a shifting mosaic of habitat across the Wisconsin landscape over time, which will provide for the ecological needs of the species.

This notice is provided pursuant to section 10(c) of the Act. The Service will evaluate the permit application, HCP, Implementation Agreement, Partners' Species and Habitat Conservation Agreements, and comments submitted relative to the proposed action to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that the requirements are met, a permit will be issued for the incidental take of Karner blue butterfly.

#### Reference Cited

Schweitzer, D.F. 1989. Fact sheet for the Karner blue butterfly with special reference to New York. The Nature Conservancy, internal document, 7 pp.

Dated: April 6, 1999.

#### Marvin E. Moriarty,

Acting Regional Director, Region 3, Fort Snelling, Minnesota.

[FR Doc. 99-9247 Filed 4-13-99; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Endangered and Threatened Species Permit Applications

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

**ACTION:** Notice of receipt of application.

The following applicant has 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.*).

PRT-697830

**Applicant:** Assistant Regional Director, Ecological Services, Region 3, U.S. Fish and Wildlife Service, Fort Snelling, Minnesota.

The applicant requests an amendment to his permit for scientific take activities of listed species in Region 3 to add the Topeka shiner (*Notropis topeka*), a recently listed species, for scientific purposes and the enhancement of propagation or survival of the species in the wild, in accordance with listing, recovery outlines, recovery plans and/or other Service work for the species.

Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review 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, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. Telephone: (612/713-5343); FAX: (612/713-5292).

Dated: April 7, 1999.

#### Charles M. Wooley,

Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.

[FR Doc. 99-9248 Filed 4-13-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of an Environmental Assessment and Receipt of Application for an Incidental Take Permit for the Hord Residential Development Project, in Los Osos, San Luis Obispo County, California

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

**ACTION:** Notice of availability.

**SUMMARY:** Joe and Cindy Hord have applied for an incidental take permit from the Fish and Wildlife Service pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. The Hords are requesting a 10-year permit to allow the incidental take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) associated with a proposed 4.2-acre residential development project

in the community of Los Osos, San Luis Obispo County, California. The permit application includes a Habitat Conservation Plan and an Implementation Agreement, both of which are available for public review and comment. The Service also announces the availability of an Environmental Assessment for the proposed issuance of the incidental take permit. All comments on the Assessment and permit application will become part of the administrative record and may be released to the public.

**DATES:** Written comments should be received on or before May 14, 1999.

**ADDRESSES:** Comments should be addressed to Diane Noda, Field Supervisor, Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003; facsimile (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Kate Symonds, Fish and Wildlife Biologist, at the above address or telephone (805) 644-1766.

#### SUPPLEMENTARY INFORMATION:

##### Document Availability

If you would like copies of the documents for review, please contact the office listed above immediately. Documents also are available for inspection, by appointment, during normal business hours at the above address.

##### Background

Under Section 9 of the Endangered Species Act and its implementing regulations, taking of threatened and endangered wildlife species is prohibited. Under the Act, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, capture or collect listed wildlife, or attempt to engage in such conduct. Harm includes habitat modification that kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Under limited circumstances, the Service may issue permits to take threatened or endangered wildlife species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are found at 50 CFR 17.22 and 17.32.

The Hords need an incidental take permit because the proposed construction of their residential development project would result in the permanent loss of 1.5 acres of habitat that supports the Morro shoulderband snail within the 4.2-acre project site. The Hord's permit application includes a Habitat Conservation Plan (Plan) that

addresses impacts to the Morro shoulderband snail associated with the proposed project and that provides for implementation of measures to minimize and mitigate adverse impacts to the snail. The Hords propose to dedicate the remaining 2.7 acres of high quality Morro shoulderband snail habitat within the project site that is not proposed for residential development. Snail habitat would be conserved through a perpetual open space conservation easement in favor of the County of San Luis Obispo or another entity approved by the Service. The Hords would ensure that the site is managed in perpetuity in a manner that would be consistent with the Plan's conservation goals for the snail. This action would compensate for the loss of habitat resulting from the project and would benefit the long-term conservation of the snail. The Hord's permit application includes an Implementation Agreement that defines the responsibilities of all of the parties under the Plan.

The Habitat Conservation Plan, Implementation Agreement, and Environmental Assessment are available for public review and comment. The Plan and the Environmental Assessment consider four alternatives to the proposed residential development project: the No Residential Development Alternative, the Alternate Site Alternative, the Alternate Building Location Alternative, and the Reduced Intensity Alternative. The first two alternatives are no action (i.e., no permit) alternatives.

Under the No Residential Development Alternative, housing would not be developed on site. The Service would not issue a section 10(a)(1)(B) permit because there would be no take of the Morro shoulderband snail. This alternative would not adversely affect biological resources occurring on this site; therefore, impacts would be less than those of the proposed project. This alternative assumes the continuation of the site as an undeveloped area. Habitat for the snail would degrade over time without active management. This alternative would not substantially benefit the Morro shoulderband snail because no permanent onsite habitat conservation area would be established, managed, and monitored under this alternative.

The Alternate Site Alternative involves the use of another site for the Hord's residential development project that does not support any listed species. An incidental take permit would not be needed. This alternative would not meet the project purpose and need and was

considered economically unfeasible by the Hords. Although this alternative would result in no impact at the proposed construction site, it would not result in establishment of a permanent open space easement that is expected to have long-term benefits for the snail.

Under the Alternate Building Location Alternative, the proposed 4.2-acre parcel would be surveyed for snail presence and the proposed residential buildings and accessory structures would be arranged or sited within the 4.2-acre parcel to avoid and minimize disturbance to areas of the site occupied by the snails. The project might require issuance of an incidental take permit if some acreage of Morro shoulderband snail habitat would be affected. The Hords did not select the Alternate Building Location Alternative because it would not meet the project purpose and need as well as the Proposed Project Alternative and, upon analysis, would not provide greater habitat benefit to the snail.

Under the Reduced Intensity Alternative, the Hords would construct a residential development within the same 4.2-acre parcel but within a reduced construction area, so as to cause less physical disturbance to onsite Morro shoulderband snail habitat. The project could require issuance of an incidental take permit if some acreage of Morro shoulderband snail habitat would be affected. Compared to the Proposed Project Alternative, the Reduced Intensity Alternative would result, at best, in only a minor addition of undeveloped acreage. This contribution to the overall habitat requirements of the Morro shoulderband snail would not be significant.

This notice is provided pursuant to section 10(a) of the Endangered Species Act and Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6). In determining whether the application meets the requirements of law, the Service will evaluate the application, its associated documents, and comments submitted by the public. If the Service determines that the requirements are met, a permit will be issued for the incidental take of the Morro shoulderband snail. A final decision on permit issuance will be made no sooner than 30 days from the date of this notice.

Dated: April 7, 1999.

**Elizabeth H. Stevens,**  
Deputy Manager, California/Nevada  
Operations Office, Region 1, Sacramento,  
California.

[FR Doc. 99-9274 Filed 4-13-99; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Trail of Tears National Historic Trail Advisory Council; Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act, Public Law 92-463, that a meeting of the Trail of Tears National Historic Trail Advisory Council will be held May 18, 1999, at 8:00 a.m., in Sweetwater, Tennessee, at the Best Western Sweetwater Inn.

The Trail of Tears National Historic Trail Advisory Council was established administratively under authority of section 3 of Public Law 91-383 (16 U.S.C. 1s-2(c)), to consult with the Secretary of the Interior on the implementation of a comprehensive plan and other matters relating to the Trail, including certification of sites and segments, standards for erection and maintenance of markers, preservation of trail resources, American Indian relations, visitor education, historical research, visitor use, cooperative management, and trail administration.

The matters to be discussed include:

- Plan Implementation Status
- Trail Association Status
- Cooperative Agreements Negotiation
- Trail Route

The meeting will be open to the public. However, facilities and space for accommodating members of the public are limited, and persons will be accommodated on a first-come, first-served basis. Any member of the public may file a written statement concerning the matters to be discussed with David Gaines, Superintendent.

Persons wishing further information concerning this meeting, or who wish to submit written statements may contact David Gaines, Superintendent, Long Distance Trails Group Office-Santa Fe, National Park Service, P.O. Box 728, Santa Fe, New Mexico 87504-0728, telephone 505/988-6888. Minutes of the meeting will be available for public inspection at the Office of the Superintendent, located in Room 205, Pinon Building, 1220 South St. Francis Drive, Santa Fe, New Mexico.

Dated: April 7, 1999.

**David M. Gaines,**  
Superintendent.

[FR Doc. 99-9231 Filed 4-13-99; 8:45 am]

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