

medical facility, Ormond Beach, Florida.

Applicant: Michelle J. Davis, University of California, Santa Cruz, California, TE050040-0.

The applicant requests authorization to take (survey, capture, identify, band, and release) the Cape Sable Seaside sparrow (*Ammodramus maritimus mirabilis*) to determine the effects of fire on their demography. The proposed activities will take place in the East Camp, Everglades National Park, Miami-Dade County, Florida.

Applicant: Margaret S. Devall, Center for Bottomland Hardwoods Research, Stoneville, Mississippi, TE049513-0.

The applicant requests authorization to remove and reduce to possession specimens of *Lindera melissifolia*, pondberry. The purposes of removal and possession of *Lindera melissifolia* are to conduct cuttings of plants for rooting and tissue culture and to provide experimental plants for a large study on the effect of the Yazoo Backwater Reformulation Project. Cuttings will be taken from 10 populations on the Delta National Forest, Sharkey County, Mississippi. Cuttings will be rooted in the greenhouse at the Center for Bottomland Hardwoods Research, Stoneville, Mississippi. The study of the effect of the Yazoo Backwater Reformulation Project will take place near the Center for Bottomland Hardwoods Research.

Applicant: Jennifer E. Buhay, Charles Lydeard, and David I. Withers, University of Alabama, TE049506-0.

The applicant requests authorization to take (survey, capture, identify, release, and euthanize four males) the Nashville crayfish (*Orconectes shoupi*). The purpose of the project is to assess the morphological and genetic diversity of the freshwater crayfish genus *Orconectes* which occupy small streams and caves across the Tennessee and Cumberland River systems. The following will be examined: (1) Utility of internal morphological features of males, females, and juveniles are unique for the identification of the twenty-five *Orconectes* species that occur in the Tennessee and Cumberland River systems, (2) evolutionary relationships of the twenty-five *Orconectes* species using mtDNA gene sequences, and (3) levels of intra-specific genetic variation of 13 native stream *Orconectes* species and 1 introduced species using mtDNA fingerprinting. The proposed activities will take place in the Mill Creek watershed and the Cumberland River drainage, Davidson and Williamson Counties, Tennessee.

Dated: December 14, 2001.

Sam D. Hamilton,

Regional Director.

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BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of a Permit Application (Williams) for Incidental Take of the Houston Toad

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: Michael and Pamela Williams (Applicants) have applied for an incidental take permit (TE-049666-0) pursuant to Section 10(a) of the Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and occupation of a single-family residence on approximately 0.5 acres of a 73.309-acre property on Lazy Horse Trail, Bastrop County, Texas.

DATES: Written comments on the application should be received on or before January 22, 2002.

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, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Clayton Napier, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8 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 Supervisor, U.S. Fish and Wildlife Service, Austin, Texas, at the above address. Please refer to permit number TE-049666-0 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Clayton Napier at the above U.S. Fish and Wildlife Service, Austin Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (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.

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).

Applicant: Michael and Pamela Williams plan to construct a single-family residence, within 5 years, on approximately 0.5 acres of a 73.309-acre property on Lazy Horse Trail, Bastrop County, Texas. This action will eliminate 0.5 acres or less of Houston toad habitat and result in indirect impacts within the lot. The Applicants propose to compensate for this incidental take of the Houston toad by providing \$2,000.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat.

Bryan Arroyo,

Acting Regional Director, Region 2.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of a Permit Application (Nicholson) for Incidental Take of the Houston Toad

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: Bruce and Myra Nicholson (Applicants) have applied for an incidental take permit (TE-049665-0) pursuant to section 10(a) of the Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and occupation of a single-family residence on approximately 0.5 acres of a 16.652-acre property on FM 2104, Bastrop County, Texas.

DATES: Written comments on the application should be received on or before January 22, 2002.

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