

**Applicant:** Phyllis Jean Deitschell, Clinic for the Rehabilitation of Wildlife, Inc., Sanibel, Florida TE054963-0.

The applicant requests authorization to take (receive, hold temporarily, transport, rehabilitate medically for injury or illness, release, and euthanize) the Loggerhead sea turtle (*Caretta caretta*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Kemp's ridley sea turtle (*Lepidochelys kempii*), and Hawksbill sea turtle (*Eretmochelys imbricata*). The rehabilitation activities will take place at the Clinic for the Rehabilitation of Wildlife, Inc., Sanibel, Florida.

#### TE055698-0.

**Applicant:** Alabama Natural Heritage Program, James C. Godwin, Montgomery, Alabama.

The applicant requests authorization to take (survey, mark nest, and nest manipulation) the Alabama red-bellied turtle (*Pseudemys alabamensis*) to identify the factors that affect nest success of the Alabama red-bellied turtle, to recommend methods to improve nest success, and to locate new nesting sites. The proposed activities will take place in the Tensaw River, Mobile River Basin, north end of Gravine Island, Baldwin County, Alabama.

#### TE055179-0

**Applicant:** Michael David Warriner, Arkansas Natural Heritage Commission, Little Rock, Arkansas.

The applicant requests authorization to take (survey, capture, determine sex, mark, and release) the American burying beetle (*Nicrophorus americanus*) to monitor existing populations and to conduct searches for additional populations. The proposed activities will occur in the Cherokee Prairie Natural Area and the H.E. Flanagan Prairie Natural Area, Franklin County, Arkansas.

#### TE054974-0

**Applicant:** EcoScience Corporation, Gerald Mc Crain, Raleigh, North Carolina.

The applicant requests authorization to take (harass, capture, and release) the Saint Francis' satyr (*Neonympha mitchellii francisci*) to conduct presence/absence of species in areas where development is proposed or to determine species presence/absence in areas where a faunal inventory has been requested. The proposed activities will occur throughout the state of North Carolina.

#### TE055089-0

**Applicant:** Western Kentucky University, Scott A. Grubbs, Bowling Green, Kentucky.

The applicant requests authorization to take (remove, tag, exam, measure, sex, and translocate) the fanshell (*Cyrogenia stegaria*), Northern riffleshell (*Epioblasma torulosa rangiana*), ring pink (*Obovaria retuse*), clubshell (*Pleurobema clava*), and rough pigtoe (*Pleurobema plenum*) to continue the long-term biological monitoring program initiated by Schuster et al. and to assess the impact of Lock and Dam #6 on the structure of the macro-invertebrate community inhabiting the Green River and Nolin River in Mammoth Cave National Park, Kentucky.

Dated: April 22, 2002.

**Thomas M. Riley,**

*Acting Regional Director.*

[FR Doc. 02-11365 Filed 5-7-02; 8:45 am]

**BILLING CODE 4310-55-P**

#### DEPARTMENT OF THE INTERIOR

##### Fish and Wildlife Service

##### Receipt of Applications for Permit

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

**ACTION:** Notice of receipt of applications for permit.

**SUMMARY:** The public is invited to comment on the following applications to conduct certain activities with endangered species and/or marine mammals.

**DATES:** Written data, comments or requests must be received by June 7, 2002.

**ADDRESSES:** Documents and other information submitted with these applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents within 30 days of the date of publication of this notice to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

**FOR FURTHER INFORMATION CONTACT:** Division of Management Authority, telephone 703/358-2104.

##### SUPPLEMENTARY INFORMATION:

##### Endangered Species

The public is invited to comment on the following application(s) 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.). Written data, comments, or requests for copies of these complete applications should be submitted to the Director (address above).

#### PRT-056064

**Applicant:** Wayne G. Lyster, III, Versailles, KY

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa for the purpose of enhancement of the survival of the species.

#### PRT-056065

**Applicant:** Wesley K. Winn, Baytown, TX, PRT-056065.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa for the purpose of enhancement of the survival of the species.

The U.S. Fish and Wildlife Service has information collection approval from OMB through March 31, 2004, OMB Control Number 1018-0093. Federal Agencies may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a current valid OMB control number.

Dated: April 26, 2002.

**Michael S. Moore,**

*Senior Permit Biologist, Branch of Permits, Division of Management Authority.*

[FR Doc. 02-11399 Filed 5-7-02; 8:45 am]

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#### DEPARTMENT OF THE INTERIOR

##### Fish and Wildlife Service

##### Notice of Availability, Initial Restoration and Compensation Determination Plan (RCDP) for the August 27, 1998, Clinch River Chemical Spill in Tazewell County, VA

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (FWS), on behalf of the U.S. Department of the Interior (DOI), announces the release for public review of the Initial Restoration and

Compensation Determination Plan (RCDP) for the August 27, 1998, Clinch River Chemical Spill in Tazewell County, Virginia. The RCDP describes the trustee's proposal to restore natural resources injured as a result of a release of hazardous substances.

**DATES:** Written comments must be submitted on or before June 30, 2002.

**ADDRESSES:** Requests for copies of the RCDP may be made to the U.S. Fish and Wildlife Service, Virginia Field Office, 6669 Short Lane, Gloucester, Virginia 23061.

Written comments or materials regarding the RCDP should be sent to the same address.

**FOR FURTHER INFORMATION CONTACT:** John Schmerfeld, U.S. Fish and Wildlife Service, 6669 Short Lane, Gloucester, Virginia 23061. Interested parties may also call 804-693-6694 x107 for further information.

**SUPPLEMENTARY INFORMATION:** On August 27, 1998, a tanker truck overturned on U.S. Route 460 in Tazewell County, Virginia. The truck released approximately 1,350 gallons of Octocure 554-revised, a rubber accelerant, into an unnamed tributary about 530 feet from its confluence with the Clinch River. The spill turned the river a snowy white color and caused a significant fish kill. The spill also killed aquatic benthic macroinvertebrates for about 6.6 miles downstream. Using a conservative correction factor, an estimated 18,600 or more freshwater mussels were killed by the spill, including 750 individuals of 3 federally endangered mussel species. This spill is likely the single largest take of federally listed endangered species since the enactment of the Endangered Species Act. This spill destroyed one of the last two known remaining reproducing populations of the critically endangered tan riffleshell mussel.

Under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA), 42 U.S.C. 9601 *et seq.*, "natural resource trustees may assess damages to natural resources resulting from a discharge of oil or a release of a hazardous substance \*\*\* and may seek to recover those damages." Natural resource damage assessments (NRDA) are separate from the cleanup actions undertaken at a hazardous waste or spill site, and provide a process whereby the natural resource trustees can determine the proper compensation to the public for injury to natural resources. The NRDA process seeks to: (1) Determine whether injury to, or loss of, trust resources has occurred; (2) ascertain the magnitude of the injury or loss; (3) calculate the

appropriate compensation for the injury, including the cost of restoration; and (4) develop a restoration plan that will restore, rehabilitate, replace and/or acquire equivalent resources for injured or lost resources.

The DOI is the sole acting federal natural resource trustee for this case. The DOI has designated the FWS to act as its authorized official with regard to this case. An assessment plan (AP) was developed by the FWS with public input in April 2001. The AP outlined a set of studies that were designed to identify and quantify natural resource injuries that resulted from the August 27, 1998 release. The assessment phase of this NRDA has been completed and the results of all injury assessment studies have been reviewed by the FWS. This RCDP has been developed in order to publish the results of the injury assessment studies and to consider a number of restoration alternatives that will make the public whole again for their natural resource loss. Cost estimation methodologies and general environmental consequences of each restoration alternative are considered and a preferred restoration alternative is proposed. The proposed preferred alternative includes propagation of freshwater mussels, riparian habitat protection, and community education.

Interested members of the public are invited to review and comment on the RCDP. Copies of the RCDP are available for review at the FWS's Virginia Field Office in Gloucester, Virginia and at the FWS's Southwestern Virginia Field Office located at 330 Cummings Street, Suite A, Abingdon, Virginia 24210. Written comments will be considered and addressed in the final RCDP.

**Author:** The primary author of this notice is John Schmerfeld, U.S. Fish & Wildlife Service, Virginia Field Office, 6669 Short Lane, Gloucester, Virginia 23061.

**Authority:** The authority for this action is the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 as amended, commonly known as Superfund, (42 U.S.C. 9601 *et seq.*) and the Natural Resource Damage Assessment Regulations found at 43 CFR, part 11.

Dated: April 24, 2002.

**Mamie A. Parker,**

*Regional Director, Region 5, U.S. Fish and Wildlife Service, DOI Designated Authorized Official.*

[FR Doc. 02-11364 Filed 5-7-02; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of the Proposed Safe Harbor Agreement for Robert Mondavi Winery, San Luis Obispo County, California

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

**ACTION:** Notice of availability.

**SUMMARY:** This notice advises the public that Robert Mondavi Winery (Applicant) has applied to the Fish and Wildlife Service (Service) for an enhancement of survival permit pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (Act). The permit application includes a proposed Safe Harbor Agreement (Agreement) between the Applicant and the Service. The Agreement provides for management measures to aid in the conservation of the threatened California red-legged frog (*Rana aurora draytonii*), the endangered least Bell's vireo (*Vireo bellii pusillus*), and the endangered Southwestern willow flycatcher (*Empidonax traillii extimus*) on a vineyard property operated by the Applicant in San Luis Obispo County, California. The proposed duration of both the Agreement and permit is 33 years.

The Service has made a preliminary determination that the proposed Agreement and permit application are eligible for categorical exclusion under the National Environmental Policy Act of 1969 (NEPA). The basis for this determination is contained in an Environmental Action Statement, which also is available for public review.

**DATES:** Written comments must be received by 5:00 p.m. on June 7, 2002.

**ADDRESSES:** Comments should be addressed to Field Supervisor, Ventura Fish and Wildlife Office, 2493 Portola Road, Ventura, California 93003, facsimile number (805) 644-3958 (see Public Review and Comment section below).

**FOR FURTHER INFORMATION CONTACT:** Valary Bloom, Fish and Wildlife Biologist, at the above address or by calling (805) 644-1766.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under a Safe Harbor Agreement, participating landowners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefitting species listed under the Act. Safe Harbor Agreements encourage private and other non-Federal property owners to