

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

Radiological Emergency Preparedness: Reasonable Assurance Finding for the Indian Point Energy Center

AGENCY: Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: On July 25, 2003, FEMA made a finding of reasonable assurance that there is adequate offsite preparedness for the Indian Point Energy Center in Buchanan, New York.

FOR FURTHER INFORMATION CONTACT: Vanessa E. Quinn, Chief, Radiological Emergency Preparedness Section, Nuclear and Chemical Hazards Branch, FEMA, 500 C Street, SW., Washington, DC 20472; (202) 646-3664; Vanessa.quinn@dhs.gov.

SUPPLEMENTARY INFORMATION: On July 25, 2003, FEMA made a finding of reasonable assurance that appropriate measures to protect the health and safety of communities surrounding the Indian Point Energy Center can be taken and are capable of being implemented. A link to the full text of the document transmitting the finding to George Pataki, Governor of New York, is available at <http://www.fema.gov>.

Dated: September 29, 2003.

R. David Paulison,

Director of the Preparedness Division, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 03-25216 Filed 10-3-03; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

[UT-030-02-1610-DE-24-1A]

Establishment of Advisory Committee

AGENCY: Bureau of Land Management (BLM), Utah State Office, Interior.

ACTION: Notice of establishment of the Grand Staircase-Escalante National Monument Advisory Committee.

SUMMARY: This notice is published in accordance with Section 9(a)(2) of the Federal Advisory Committee Act of 1972, Pub. L. 92-463. Notice is hereby given that the Secretary of the Interior

has established the Bureau of Land Management's Grand Staircase-Escalante National Monument Advisory Committee.

The Purpose of the Committee will be to advise Monument Managers on science and management issues and the achievement of objectives set forth in the Grand Staircase-Escalante National Monument Management Plan.

FOR FURTHER INFORMATION CONTACT:

Steve Cohn, National Landscape Conservation System (171), Bureau of Land Management, 1620 L Street, NW., Room 301 LS, Washington, DC 20240, telephone (202) 785-6589.

Certification Statement

I hereby certify that the establishment of the Grand Staircase-Escalante National Monument Advisory Committee is necessary and in the public interest in connection with the Secretary of the Interior's responsibilities to manage the lands, resources, and facilities administered by the Bureau of Land Management.

Dated: September 26, 2003.

Gale A. Horton,

Secretary of the Interior.

[FR Doc. 03-25195 Filed 10-3-03; 8:45 am]

BILLING CODE 4310-DQ-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Permit Application and Safe Harbor Agreement Between the Fish and Wildlife Service and the Malpai Borderlands Group

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of availability and 30-day public comment period.

SUMMARY: The Malpai Borderlands Group (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a)(1)(A) of the Endangered Species Act (Act). The Applicants have been assigned permit number TE-073684-0. The requested permit, which is for a period of 50 years, would authorize the take of the Threatened Chiricahua leopard frog (*Rana chiricahuensis*). The proposed take could occur as a result of conservation measures implemented on the approximately 1 million acres (404,700 hectares) identified in the application and associated documents in Cochise County, Arizona and Hidalgo County, New Mexico. Conservation measures consist of stock tank development and restoration, including modification of

stock tanks to enhance their use by Chiricahua leopard frogs and renovation to remove bullfrogs and other non-native predators. Currently, within the Agreement area, Chiricahua leopard frogs are only known to occur in a few locations, including three populations on the Magoffin property. These three populations on the Magoffin property exist solely due to the extraordinary efforts of the landowners to establish and maintain them prior to listing of the species. Thus, they are excluded from the baseline for the purposes of this Safe Harbor Agreement (Agreement). The Applicants, in cooperation with the Service, have prepared the Agreement to provide a conservation benefit to the species and allow for the take of the species. Based upon guidance in the Service's June 17, 1999, Final Safe Harbor Policy, if an Agreement and associated permit are not expected to individually or cumulatively have a significant impact on the quality of the human environment or other natural resources, the Agreement/permit may be categorically excluded from undergoing National Environmental Policy Act review. The Malpai Agreement qualifies as a "Low Effect" Agreement, thus, this action is a categorical exclusion. The "Low Effect" determination for the Malpai Agreement is also available for public comment. 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 by November 5, 2003.

ADDRESSES: Persons wishing to review the application, Agreement, and "Low Effect" determination may obtain copies by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103, or by contacting the Field Supervisor, Arizona Ecological Services Field Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951 (602) 242-0210. Documents relating to the application 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, Arizona Ecological Services Field Office, Phoenix, Arizona.

Written data or comments concerning the application and Agreement should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, 2321 West Royal Palm Road, Suite 103, Phoenix, Arizona 85021-4951. Please refer to permit number TE-073684-0 (Malpai) when submitting comments.

FOR FURTHER INFORMATION CONTACT:

Field Supervisor at the above U.S. Fish and Wildlife Service, Arizona Ecological Services Field Office, Phoenix, Arizona (602) 242-0210.

SUPPLEMENTARY INFORMATION:**Background**

The Malpai Borderlands Group (Applicants) plan to implement conservation measures on approximately 1 million acres (404,700 hectares) in Cochise County, Arizona, and Hidalgo County, New Mexico. The conservation measures will improve and maintain livestock tanks and other artificial waters and use them to establish Chiricahua leopard frog populations. The Agreement as currently written is expected to provide a net conservation benefit to the Chiricahua leopard frog. The Agreement will provide protection to the Applicants against further regulation under the Endangered Species Act in the event that the Chiricahua leopard frog naturally or artificially establishes populations in the area as a result of implementation of the proposed conservation measures.

Section 9 of the Act prohibits the "taking" of threatened or endangered species. However, the Service, under limited circumstances, may issue permits to take threatened and 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 and 50 CFR 17.32 for threatened species.

Bryan Arroyo,

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

[FR Doc. 03-25236 Filed 10-3-03; 8:45 am]

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula**

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service ("we") announces the availability of the Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula. This recovery plan includes the endangered San Francisco lessingia (*Lessingia germanorum*) and Raven's manzanita (*Arctostaphylos hookeri* ssp. *ravenii*). The portion of the plan dealing with Raven's manzanita is

a revision of the 1984 Raven's Manzanita Recovery Plan. Additional species of concern that will benefit from recovery actions taken for these plants are also discussed in the recovery plan. This recovery plan includes recovery criteria and measures for the San Francisco lessingia and Raven's manzanita.

ADDRESSES: Hard copies of the final recovery plan will be available in 4 to 6 weeks by written request addressed to the Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, Room W-2605, Sacramento, California 95825-1888. This final recovery plan is currently available on the World Wide Web at <http://endangered.fws.gov/recovery/index.html#plans>.

FOR FURTHER INFORMATION CONTACT: Larry Host or Kirsten Tarp, Fish and Wildlife Biologists, at the above Sacramento address (telephone 916-414-6600).

SUPPLEMENTARY INFORMATION:**Background**

Recovery of endangered or threatened animals and plants is a primary goal of our endangered species program and the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*). Recovery means improvement of the status of listed species to the point at which listing is no longer appropriate under the criteria set out in section 4(a)(1) of the Act. Recovery plans describe actions considered necessary for the conservation of the species, establish criteria for downlisting or delisting listed species, and estimate time and cost for implementing the measures needed for recovery.

The Act requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act requires that public notice and an opportunity for public review and comment be provided during recovery plan development. The Draft Recovery Plan for Coastal Plants of the Northern San Francisco Peninsula was available for comment from December 4, 2001, through September 9, 2002. We sent 1,574 copies of the draft plan to affected or interested parties. About 430 comment letters were received and reviewed by us, including 5 responses from peer reviewers.

Substantive technical comments resulted in several changes to the plan. Many of these came from the National Park Service and the Presidio Trust who have been working to recover the two focus species for several years. Their comments provided helpful information

about the costs and time needs for several of the actions recommended in the plan. Substantive comments regarding implementation of the plan did not necessarily result in changes to the recovery plan, but will be used to assist the work of participating Federal and other entities during the course of implementing recovery actions.

San Francisco lessingia and Raven's manzanita are restricted to the San Francisco peninsula in San Francisco County and the northern part of San Mateo County, California. San Francisco lessingia, an annual herb in the aster family, is restricted to coastal sand deposits. Raven's manzanita, a rare evergreen creeping shrub in the heath family, was historically restricted to a few scattered serpentine outcrops. Habitat loss, adverse alteration of ecological processes, and invasion of non-native plant species threaten San Francisco lessingia. Raven's manzanita has also been threatened by habitat loss. The primary current threats to Raven's manzanita include invasion of non-native vegetation; fungal pathogens; and tussock moth caterpillars, the larvae of moths from the family Lymantriidae, that eat the plants' leaves.

The plan also makes reference to several other federally listed species which are ecologically associated with San Francisco lessingia and Raven's manzanita, but which are treated comprehensively in other recovery plans. These species are beach layia (*Layia carnosa*), Presidio clarkia (*Clarkia franciscana*), Marin dwarf-flax (*Hesperolinon congestum*), Myrtle's silverspot butterfly (*Speyere zerene myrtleae*), and bay checkerspot butterfly (*Euphydryas editha bayensis*). In addition, 16 plant species of concern and 17 plant species of local or regional conservation significance are considered in this recovery plan.

The recovery plan stresses re-establishing dynamic, persistent populations of San Francisco lessingia and Raven's manzanita within plant communities which have been restored to be as "self-sustaining" as possible within urban wildland reserves. Because the species has been reduced to small remnant areas of habitat, specific recovery actions for San Francisco lessingia focus on the restoration and management of larger, dynamic mosaics of coastal dune areas supporting shifting populations within the species' narrow historic range. Recovery of Raven's manzanita will include, but will not be limited to, the strategy of the 1984 Raven's Manzanita Recovery Plan, which emphasized the stabilization of the single remaining genetic individual. The plan also seeks to re-establish