

(5) Telecommunications Manager, U.S. Fish and Wildlife Service, IRM/TFO, PO Box 25207, Denver, CO 80225.

(6) Chief, Branch of Telecommunications Services, U.S. Geological Survey, MS-809, National Center, Reston, VA 22092.

(7) Chief, Safety and Facilities Management Branch, Minerals Management Service, MS-2000, 381 Elden Street, Herndon, VA 22070.

(8) Telecommunications Manager, Information and Telecommunications Division, National Park Service, MS-2505, 1849 C Street NW, Washington, DC 20240.

(9) Telecommunications Administrator, Office of Inspector General, MS-124, SIB, 1849 C Street NW, Washington DC 20240.

(10) Chief, Telecommunications Service Office, National Business Center, Office of the Secretary, MS-1445, MIB, 1849 C Street NW, Washington, DC 20240.

(11) Telecommunications Manager, Office of Surface Mining Reclamation and Enforcement, MS-10, SIB, 1849 C Street NW, Washington, DC 20240.

NOTIFICATION PROCEDURE:

A request for notification of the existence of records shall be addressed to the appropriate System Manager. The request shall be in writing, signed by the requester, and comply with the content requirements of 43 CFR 2.60.

RECORD ACCESS PROCEDURES:

A request for access to records shall be addressed to the appropriate System Manager. The request shall be in writing, signed by the requester, and comply with the content requirements of 43 CFR 2.63.

CONTESTING RECORD PROCEDURES:

A request for amendment of records shall be addressed to the appropriate System Manager. The request shall be in writing, signed by the requester, and comply with the content requirements of 43 CFR 2.71.

RECORD SOURCE CATEGORIES:

Telephone assignment records, call detail listings, and results of administrative inquiries relating to assignment of responsibility for placement of specific long distance calls.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

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BILLING CODE 4310-94-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of an Application for an Incidental Take Permit for construction of Oak Grove High School, in Lamar County, Mississippi.

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The Lamar County School Board District (Applicant), is seeking an incidental take permit (ITP) from the Fish and Wildlife Service (Service), pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The ITP would authorize the take of the threatened Gopher tortoise, *Gopherus polyphemus*, for a fifty (50) year period. The proposed taking is incidental to land clearing and other activities associated with the construction and use of Oak Grove High School, a public education facility for grades nine through twelve, occupying a 39-acre site in Lamar County, Mississippi (Project). Surveys on the Project site indicate that at least one adult Gopher tortoise inhabits the Project. A description of the mitigation and minimization measures outlined the Applicant's Habitat Conservation Plan (HCP or Plan) to address the effects of the Project to the protected species is as described further in the **SUPPLEMENTARY INFORMATION** section below.

Further, the Service has determined that the Applicant's Plan qualifies as a "low-effect" Plan as defined by the Service's Habitat Conservation Planning Handbook (November 1996). The Service has further determined that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1).

Copies of the Applicant's Plan may be obtained by making a request to the Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. This notice is provided pursuant to Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

The Service specifically requests information, views, opinions from the public via this Notice, including information regarding the adequacy of the Plan as measured against the Service's ITP issuance criteria found in 50 CFR Parts 13 and 17.

DATES: Written comments on the application and Plan should be sent to the Service's Regional Office (see

ADDRESSES) and should be received on or before April 17, 1999.

ADDRESSES: Persons wishing to review the Plan may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi 39213. Written data or comments should be submitted to the Regional Office.

Requests for the documentation must be in writing to be processed. Comments must be submitted in writing to be processed. Please reference permit number TE-007399-0 in such comments, or in requests of the documents discussed herein.

FOR FURTHER INFORMATION CONTACT: Mr. Rick G. Gooch, Regional Permit Coordinator, (see **ADDRESSES** above), telephone: 404/679-7110, facsimile: 404/679-7081.

SUPPLEMENTARY INFORMATION: The Gopher tortoise (*Gopherus polyphemus*), is listed as a threatened species in the western part of its range, from the Tombigbee and Mobile Rivers in Alabama west to southeastern Louisiana. As a native burrowing species of the fire-maintained longleaf pine ecosystem, typical gopher tortoise habitat consists of frequently burned longleaf pine or longleaf pine/scrub oak uplands on moderately well drained to xeric soils. About 80 percent of the original habitat for gopher tortoises has been lost due to urbanization and agriculture. Certain forest management practices in remaining upland pine habitats have also adversely affected the gopher tortoise. Silvicultural systems using intensive site preparation, dense plantations and stands of loblolly pine or slash pine, and infrequent fire have reduced or eliminated the open forest and sunny forest floor of grasses and forbs where gopher tortoises burrow, nest, and feed. Though gopher tortoises are widely distributed in south Mississippi, most populations are fragmented, small in size, and functionally non-viable.

Section 9 of the Act, and implementing regulations, prohibits taking the gopher tortoise. Taking, in part, is defined as an activity that kills, injures, harms, or harasses a listed endangered or threatened species. Section 10(a)(1)(B) of the Act provides an exemption, under certain circumstances, to the Section 9

prohibition if the taking is incidental to, and not the purpose of otherwise lawful activities.

Gopher tortoise surveys conducted by the Applicant have identified at least one adult gopher tortoise within the Project. Land clearing, construction and heavy equipment operations can directly kill or injure tortoises as a result of their becoming crushed or entombed in burrows.

The Plan describes measures the Applicant will take to avoid and mitigate such taking, including: (1) Translocation of all resident tortoises from the Project to a suitable 25-acre recipient site which already contains a colony of the species; (2) management of the recipient site for the long term benefit of the relocated tortoise(s) and the resident population; and, (3) monitoring and reporting on the effectiveness of the chosen mitigation and minimization strategy.

As earlier stated, the Service has determined that the Plan qualifies as a "low-effect" Habitat Conservation Plan (HCP) as defined by the Service's Habitat Conservation Planning Handbook (November 1996). Low-effect HCPs are those involving: (1) Minor or negligible effects on federally listed and candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources. The Applicant's Plan qualifies for the following reasons:

1. Approval of the Plan would result in minor or negligible effects on the Gopher tortoise and its habitat. The Service does not anticipate significant direct or cumulative effects to the Gopher tortoise resulting from construction of the Project.

2. Approval of the Plan would not have adverse effects on known unique geographic, historic or cultural sites, or involve unique or unknown environmental risks.

3. Approval of the Plan would not result in any significant adverse effects on public health or safety.

4. The project does not require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act, nor does it threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

5. Approval of the Plan would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service has therefore determined that approval of the Plan qualifies as a categorical exclusion under the NEPA,

as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). No further NEPA documentation will therefore be prepared. In the Service's continuing efforts to ensure compliance with section 106 of the National Historic Preservation Act, the Service's Regional Archaeologist will determine, after further investigations which are currently underway, the effect of the proposed construction on cultural resources that may be present within the project area. Results of these investigations will be considered and incorporated into the Service's final determinations on this Plan.

The Service will evaluate the Plan and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, an ITP will be issued for the incidental take of the Gopher Tortoise. The Service will also evaluate whether the issuance of a Section 10(a)(1)(B) ITP complies with Section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP; the final decision will be made no sooner than 30 days from the date of this notice.

Dated: March 11, 1999.

H. Dale Hall,

Deputy Regional Director.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of an Environmental Assessment and Receipt of an Application for a Permit to Allow Incidental Take of Threatened and Endangered Species in Connection With the North Peak Development Project in the City of Lake Elsinore, Riverside County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of Availability.

SUMMARY: North Peak Partners, L.P., (Partners) have applied to the Fish and Wildlife Service for an incidental take permit pursuant to the Endangered Species Act of 1973, as amended (Act). The Partners request a 30-year permit authorizing incidental take of certain species in connection with the development of a master planned

community, road improvements, ongoing management on open space and facilities, and implementation of conservation measures in the planning area located in the City of Lake Elsinore, Riverside County, California. The proposed permit would allow take in the form of harm or harassment of 3 currently listed species [coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), and Stephens' kangaroo rat (*Dipodomys stephensi*)] and 30 sensitive species that may be listed as threatened or endangered during the period permit. The proposed permit also would allow take in the form of harassment of 16 bird and mammal species, primarily raptors and bats that forage in the area. In addition, the Partners anticipate that 12 additional species would need to be added to the permit (if found to be present and a taking would occur) and have proposed a streamlined amendment process to determine measures to avoid, minimize, mitigate, and authorize take of those species. As required under the Act, the Partners have prepared a habitat conservation plan (Plan) for the species that would be covered by the incidental take permit and have submitted the Plan to the Service, together with an Implementation Agreement. The Plan and Implementation Agreement are part of the permit application.

The Service announces the availability of the permit application and the Environmental Assessment for public review and comment. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public.

DATES: Written comments on the permit application and the Environmental Assessment should be received on or before April 16, 1999.

ADDRESSES: Comments should be addressed to Jim Bartel, Assistant Field Supervisor, Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. Comments may be sent by facsimile to 760-431-9624.

FOR FURTHER INFORMATION CONTACT: Michelle Shaughnessy, Branch Chief, or Dan Brown, Fish and Wildlife Biologist, at the above address (telephone: 760-431-9440).

SUPPLEMENTARY INFORMATION:

Availability of Documents

If you would like a copy of the documents, contact the Service's Carlsbad Fish and Wildlife Office at the above referenced address or telephone. Documents also are available for public