

number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the services to the Government.

2. The action will not have a severe economic impact on current contractors for the services.

3. The action will result in authorizing small entities to furnish the services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the services proposed for addition to the Procurement List.

Accordingly, the following services are hereby added to the Procurement List:

#### *Administrative Services*

U.S. Army Corps of Engineers, New England District, 696 Virginia Road, Concord, Massachusetts

#### *Administrative Services*

Puget Sound Area, Navy Region Northwest, Bremerton, Washington

#### *Administrative/General Support Services*

Department of Justice, Federal Bureau of Prisons, Federal Correctional Institution, Cumberland, Maryland

Base Supply Center and Operation of Individual Equipment Element Store, Grand Forks Air Force Base, North Dakota

#### *Management Services*

U.S. Department of Housing and Urban Development, 611 W. Sixth Street, Los Angeles, California

U.S. Department of Housing and Urban Development, 450 Golden Gate Avenue, San Francisco, California

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

#### **Deletions**

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action may not result in any additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action will not have a severe economic impact on future contractors for the commodities.

3. The action may result in authorizing small entities to furnish the commodities to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodities listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

Accordingly, the following commodities are hereby deleted from the Procurement List:

Fasteners, Fence Post  
5660-00-148-7251  
Stay, Fence  
5660-00-943-9927  
5660-00-904-8023  
5660-00-607-0286  
5660-00-607-0287  
Water Bag, Nylon Duck  
8465-01-185-5511

**G. John Heyer,**

*General Counsel.*

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**BILLING CODE 6353-01-P**

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## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

[I.D. 120999H]

#### **Availability of a Draft Environmental Impact Statement and Receipt of an Application for an Incidental Take Permit Submitted by Plum Creek Timberlands, L.P., (and its partners Plum Creek Timber Company, Inc. and Plum Creek Timber I L.L.C.), Plum Creek Marketing Inc., Plum Creek Land Company, Plum Creek Northwest Lumber, Inc., Plum Creek Northwest Plywood, Inc., and Plum Creek MDF, Inc., for Lands in Montana, Idaho, and Washington**

**AGENCIES:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce; Fish and Wildlife Service (FWS), Interior.

**ACTION:** Notice of application and availability for public comment.

**SUMMARY:** This notice advises the public that Plum Creek Timberlands, L.P. and associated companies identified above (Plum Creek) have submitted an application to NMFS and FWS (together, the Services) for an Incidental

Take Permit (Permit) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA). As required by section 10(a)(2)(B) of the ESA, the applicant has also prepared a Habitat Conservation Plan (Plan) designed to minimize and mitigate for any take of endangered or threatened species. The Permit application is related to forest management and other Plum Creek activities on approximately 1.7 million acres of Plum Creek land in western Montana, northern Idaho, and western Washington. Of the 1.7 million acres, approximately 88 percent occur in Montana, 8 percent occur in Idaho, and 4 percent occur in Washington.

The proposed permit would authorize the take of the following eight listed endangered or threatened species incidental to otherwise lawful activities:

Bull trout (*Salvelinus confluentus*): Columbia River (ClR) distinct population segment (DPS).

Steelhead (*Oncorhynchus mykiss*): Snake River (SnR) evolutionarily significant unit (ESU), middle Columbia River ESU, lower Columbia River (LCR) ESU.

Chinook salmon (*O. tshawytscha*): SnR spring/summer ESU, SnR fall ESU; LCR ESU.

Chum salmon (*O. keta*): ClR ESU.

Plum Creek is also seeking coverage for nine currently unlisted anadromous and resident fish under specific provisions of the Permit, should these species be listed in the future. These species include: redband trout (*O. mykiss*); coastal rainbow trout (*O. mykiss*); westslope cutthroat trout (*O. clarki lewisi*); mountain whitefish (*Prosopium williamsoni*) pygmy whitefish (*P. coulteri*); coastal cutthroat trout (*O. clarki clarki*), including the proposed Southwestern Washington/Columbia River coastal cutthroat trout ESU and populations above barriers; Upper Columbia River summer/fall chinook salmon ESU (*O. tshawytscha*); candidate LCR/Southwest Washington coho salmon ESU (*O. kisutch*) and Mid-Columbia River spring chinook salmon ESU (*O. tshawytscha*). Six of the 17 covered species are resident fish species, and eleven are anadromous fish species or have an anadromous life history form. The duration of the proposed Permit and Plan is 30 years.

Plum Creek's Permit application includes: (1) the proposed Plan; and, (2) a proposed Implementing Agreement (Agreement). The Services also announce the availability of a draft Environmental Impact Statement (EIS) for the Permit application. To facilitate public review and comment, and to avoid voluminous documentation, the

proposed Plan is included in the draft EIS in Chapter 3.

This notice is provided pursuant to section 10(a) of the ESA and National Environmental Policy Act (NEPA) regulations. The Services are furnishing this notice in order to allow other agencies and the public an opportunity to review and comment on these documents. All comments received will become part of the public record and will be available for review pursuant to section 10(c) of the ESA.

**DATES:** Written comments on the Permit application, draft EIS, Plan, and Agreement must be received at the appropriate address or fax number (See **ADDRESSES**) from interested parties no later than 5:00pm mountain standard time on February 15, 2000. In addition, comments will be accepted during public meetings to be held at various locations in the vicinity of the proposed project area. All meetings are scheduled from 3:30 to 7:30 p.m. on dates and at locations as follows:

January 11th - Kelso, Washington  
Doubletree Hotel

January 12th - Yakima, Washington  
Cavanaugh's Gateway

January 17th - Libby, Montana  
Venture Inn

January 18th - Kalispell, Montana  
Outlaw Inn (Cavanaugh's/Best Western)

January 19th - Missoula, Montana  
Holiday Inn Parkside

January 20th - Coeur D'Alene, Idaho  
Shilo Inn

**ADDRESSES:**

Written comments should be sent to Ted Koch, Project Biologist, FWS, 1387 S. Vinnell Way, Room 368, Boise, Idaho 83709 (fax: 208/378-5262), and Bob Ries, Project Biologist, NMFS, 1387 S. Vinnell Way, Room 377, Boise, Idaho 83709 (fax: 208/378-5699). Comments will not be accepted if submitted via e-mail or the internet.

Requests for documents on CD ROM may be made by calling Ted Koch, FWS, at (208)378-5243. Hardbound copies are also available for viewing, or partial or complete duplication, at the following libraries:

Boise Public Library, 715 S. Capitol Blvd., Boise, ID 83702 (208/384-4340);

Lewiston City Library, 101 Fifth Street, Lewiston, ID 83501 (208/743-7221);

Coeur d'Alene Public Library, 201 E. Harrison Avenue, Coeur d'Alene, ID 83814-2373 (208/769-2315);

Missoula Public Library, 301 East Main, Missoula, MT 59802-4799 (406/721-2665);

Spokane Public Library, 906 W Main Ave, Spokane, WA 99201-0976 (509/444-5300);

Olympia Timberland Library, 313 8th Ave SE, Olympia, WA 98501-9300 (360/352-0595);

Yakima Valley Regional Library, 102 N Third St, Yakima, WA 98901-2705 (509/452-8541);

Lewis and Clark Library, 120 S. Last Chance Gulch, Helena, MT 59601-4133 (406/447-1690);

Flathead County Library, 247 First Avenue E., Kalispell, MT 59901-4598 (406/758-5820).

The documents are also available electronically on the World Wide Web at <http://www.fws.gov/r1srbo/SRBO/Plumck.htm>.

Comments and materials received will also be available for public inspection, by appointment, during normal business hours by calling the U.S. Fish and Wildlife Service Snake River Basin Office in Boise, ID, at (208)378-5243.

**FOR FURTHER INFORMATION CONTACT:** Ted Koch, 208/378-5243, fax 208/378-5262, e-mail [Ted\\_Koch@mail.fws.gov](mailto:Ted_Koch@mail.fws.gov); or Bob Ries, 208/378-5696, fax 208/378-5699, e-mail [Bob.Ries@noaa.gov](mailto:Bob.Ries@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Section 9 of the ESA and Federal regulations prohibit the "taking" of a species listed as endangered or threatened. The term take is defined under the ESA to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. However, the Services, under limited circumstances, may issue permits to take listed species incidental to, and not the purpose of, otherwise lawful activities. FWS regulations governing permits for endangered species are promulgated in 50 CFR 17.22; and, regulations governing permits for threatened species are promulgated in 50 CFR 17.32. NMFS regulations governing permits for endangered species are promulgated at 50 CFR 222.307; and, regulations governing permits for threatened species are promulgated at 50 CFR 223.

**Background**

Plum Creek owns and manages approximately 1.7 million acres of land in western Montana (88% of lands), northern Idaho (8% of lands), and western Washington (4% of lands). The Plan area includes portions of 17 major watersheds (or Planning Area Basins); eleven in Montana, three in Idaho, and three in Washington. Most lands are closely intermingled with U.S. Department of Agriculture, Forest Service lands. Plum Creek proposes to manage these lands pursuant to the Plan, and has applied to the Services for a Permit authorizing incidental take that may result from certain activities on

these lands. Plum Creek proposes to include seven conservation commitment categories, with a variety of associated land management activities, for coverage under the permit, including: roads and upland management actions and conservation commitments; riparian area forest management and conservation commitments; range and livestock grazing management and conservation commitments; land use planning commitments; legacy and restoration activity commitments; administration and implementation commitments; and monitoring and adaptive management commitments. Specific actions to be permitted include commercial forestry and associated activities, including road building, use, maintenance, and gravel quarrying; silvicultural activities, including upland and riparian timber harvest, tree planting, site preparation, stand maintenance, and prescribed burning; manufacturing of forest products; forest fire suppression; livestock grazing; special use permits; conservation activities; and other forest land product sales. The duration of the proposed Permit and Plan is 30 years.

Some proposed covered activities have the potential to impact species subject to protection under the Act. Section 10 of the Act contains provisions for the issuance of incidental take permits to non-Federal land owners for the take of endangered and threatened species, provided the take is incidental to otherwise lawful activities and will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. In addition, the applicant must prepare and submit to the Services for approval a Plan containing a strategy for minimizing and mitigating take associated with the proposed activities to the maximum extent practicable. The applicant must also ensure that adequate funding for the Plan will be provided.

The Services formally initiated an environmental review of the project through a Notice of Intent to prepare an EIS in the Federal Register on December 12, 1997 (62 FR 65437). This notice also announced a public scoping comment opportunity, during which other agencies, tribes, and the public were invited to provide comments and suggestions regarding issues and alternatives to be included in the EIS. Following this scoping period a draft EIS was prepared which considers the No Action alternative, the Proposed Plan, and two additional action alternatives.

Under the No Action Alternative, incidental take permits would not be issued and Plum Creek would continue

a forest management program which complies with local, State, and Federal laws. Under Plum Creek's Proposed Plan, the Services would issue incidental take permits and Plum Creek would implement the Plan on their 1.7 million acres of timberlands. Under the Internal Conservation Plan alternative, Plum Creek would implement conservation measures designed to avoid take of currently listed species. Under the Simplified Prescription alternative, Plum Creek would implement riparian buffers and severely limit roads and livestock grazing on their lands. Conservation measures identified in the Plan alternative would not be implemented under any of the other alternatives.

The No Action, Plum Creek's Proposed Plan, the Internal Plum Creek Plan, and the Simplified Prescriptions alternatives are analyzed in detail in the draft EIS.

The Services will evaluate the application, associated documents, and comments received to determine whether the application meets the requirements of the ESA and NEPA. If it is determined that the requirements are met, a permit will be issued for the incidental take of listed species. The final permit decision will be made no sooner than 60 days from the date of this notice.

Dated: December 7, 1999.

**Anne Badgley,**

*Regional Director, Region 1, Fish and Wildlife Service.*

Dated: December 13, 1999.

**Wanda L. Cain,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 99-32778 Filed 12-16-99; 8:45 am]

**BILLING CODES 3510-22-F, 4310-55-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 120999]

#### Endangered Species; Permits

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Receipt of applications for scientific research and enhancement permits (1224, 1225).

**SUMMARY:** Notice is hereby given that NMFS has received an application for a scientific research permit from U.S. Army Corps of Engineers at Cascade

Locks, OR (COE) (1224), and an application for an enhancement permit from Mr. Bruce Hecker, of the South Carolina Aquarium (BH-SCA) (1225).

**DATES:** Comments or requests for a public hearing on the applications must be received at the appropriate address or fax number no later than 5:00pm eastern standard time on January 18, 2000.

**ADDRESSES:** Written comments on the applications should be sent to the appropriate office as indicated below. Comments may also be sent via fax to the number indicated for the application. Comments will not be accepted if submitted via e-mail or the internet. The applications and related documents are available for review in the indicated office, by appointment:

For permit 1224: Protected Resources Division, F/NWO3, 525 NE Oregon Street, Suite 500, Portland, OR 97232-2737 (ph: 503-230-5400, fax: 503-230-5435).

For permit 1225: Office of Protected Resources, Endangered Species Division, F/PR3, 1315 East-West Highway, Silver Spring, MD 20910 (ph: 301-713-1401, fax: 301-713-0376).

**FOR FURTHER INFORMATION CONTACT:**

For permit 1224: Leslie Schaeffer, Portland, OR (ph: 503-230-5433, fax: 503-230-5435, e-mail: Leslie.Schaeffer@noaa.gov).

For permit 1225: Terri Jordan, Silver Spring, MD (ph: 301-713-1401, fax: 301-713-0376, e-mail: Terri.Jordan@noaa.gov).

**SUPPLEMENTARY INFORMATION:**

**Authority**

Issuance of permits and permit modifications, as required by the Endangered Species Act of 1973 (16 U.S.C. 1531-1543) (ESA), is based on a finding that such permits/modifications: (1) Are applied for in good faith; (2) would not operate to the disadvantage of the listed species which are the subject of the permits; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA. Authority to take listed species is subject to conditions set forth in the permits. Permits and modifications are issued in accordance with and are subject to the ESA and NMFS regulations governing listed fish and wildlife permits (50 CFR parts 222-226).

Those individuals requesting a hearing on an application listed in this notice should set out the specific reasons why a hearing on that application would be appropriate (see **ADDRESSES**). The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries, NOAA. All statements and opinions

contained in the permit action summaries are those of the applicant and do not necessarily reflect the views of NMFS.

**Species Covered in this Notice**

The following species and evolutionarily significant units (ESU's) are covered in this notice:

Steelhead (*Oncorhynchus mykiss*): Threatened Snake River (SnR), threatened lower Columbia River (LCR), threatened middle Columbia River (MCR), endangered upper Columbia River (UCR).

Endangered shortnose sturgeon (*Acipenser brevirostrum*).

To date, protective regulations for threatened SnR, LCR, and MCR steelhead under section 4(d) of the ESA have not been promulgated by NMFS. This notice of receipt of an application requesting takes of these species is issued as a precaution in the event that NMFS issues protective regulations. The initiation of a 30-day public comment period on the application, including its proposed takes of LCR steelhead, SnR steelhead, and MCR steelhead, does not presuppose the contents of the eventual protective regulations.

**New Applications Received**

COE (1224) requests a 5-year scientific research permit to authorize annual takes of SnR steelhead kelts; LCR steelhead kelts, MCR steelhead kelts, and naturally produced and artificially propagated, UCR steelhead kelts associated with research designed to evaluate the survival, travel times and passage routes of adult steelhead that have spawned and are emigrating past John Day, The Dalles, and Bonneville Dams on the Columbia River on their migration back to the Pacific Ocean. Fish will be obtained from Smolt Monitoring Personnel at sampling facilities at John Day and McNary Dams on the Columbia River and from Oregon Department of Fish and Wildlife personnel at Powerdale Dam on the Hood River, anesthetized, sampled for length, fin condition and descaling percentages and tagged with passive integrated transponder, radio and/or visual implant tags, and released or transported to a location either above or below Bonneville Dam and released. Indirect mortalities are requested as part of this research.

BH-SCA (1225) requests a 5-year enhancement permit to maintain a population of up to eight juvenile shortnose sturgeon in a captive environment for educational purposes. This application meets Recovery Task 2.5 C concerning public education and raising public awareness of sturgeon