

Dated: January 17, 1997.  
 Mary Ellen Amtower,  
*Acting Chief, Branch of Permits, Office of  
 Management Authority.*  
 [FR Doc. 97-1669 Filed 1-22-97; 8:45 am]  
 BILLING CODE 4310-55-P

**Availability of an Environmental Assessment and Receipt of an Application for a Permit To Allow Incidental Take of Threatened and Endangered Species by Weyerhaeuser Company on Portions of its Lands in Lane, Linn, Benton, and Douglas Counties, Oregon**

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

**ACTION:** Notice of availability.

**SUMMARY:** The Weyerhaeuser Company has applied to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service (collectively, the Services) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). They have also requested approval of an unlisted species agreement covering other species which may be found in the planning area. The application has been assigned U.S. Fish and Wildlife Service permit number PRT-823550 and National Marine Fisheries Service permit number P626. The Services also announce the availability of an Environmental Assessment (Assessment) for the proposed issuance of the incidental take permit. All comments received will become part of the public record and may be released. 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 permit application, Assessment, and associated documents (see **ADDRESSES** below) should be received 60 days from the date of this publication.

**ADDRESSES:** Comments regarding the application, Assessment, and associated documents (a Habitat Conservation Plan [Plan] and Implementing Agreement) or requests for those documents, should be addressed to Curt Smitch, U.S. Fish and Wildlife Service, Pacific Northwest Habitat Conservation Plan Program, 3773 Martin Way East, Building C, Suite 101, Olympia, Washington 98501. Please refer to permit number PRT-823550 when submitting comments. Individuals seeking copies of the application package should immediately contact the above office.

**FOR FURTHER INFORMATION CONTACT:** Mr. David J. Hirsh, U.S. Fish and Wildlife

Service, or Mr. Steve Landino, National Marine Fisheries Service, at the above address; telephone (360) 534-9330.

**SUPPLEMENTARY INFORMATION:** Under section 9 of the Act and its implementing regulations, "taking" of threatened and endangered species is prohibited. However, the Services, under limited circumstances, may issue permits to take threatened or endangered wildlife species if such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are codified in 50 CFR 17.22 and 17.32 and 222.2.

The Weyerhaeuser Company has addressed, in its Plan, species conservation and ecosystem management on approximately 400,000 acres of land in the Willamette Valley and foothills of the Central Cascade Mountains and Coast Ranges of Oregon. The subject ownership occurs in two largely contiguous blocks with some portions in a "checkerboard" pattern with other Federal and non-Federal land. The proposed Plan would be implemented for 40 years with the Services retaining the option to extend the term for up to four additional ten-year periods.

The proposed Plan addresses, in three tiers, the species for which the Weyerhaeuser Company seeks coverage under section 10 of the Act. The first tier includes certain species currently listed or proposed for listing; those species are named below. The second tier includes presently unlisted species that are associated with habitats that are addressed through various measures in the proposed Plan. The third tier includes presently unlisted species that are associated with older, upland, interior forests. Tier 1 and 2 species would be covered upon approval of the Plan by the Services. Tier 3 species could become covered if the Weyerhaeuser Company can show that the proposed Plan benefits the species and those benefits have led to presence in the Plan area.

The Weyerhaeuser Company is requesting a permit for the incidental take of the northern spotted owl (*Strix occidentalis caurina*) which would occur as a result of timber harvest and related activities within the individual portions of the owl sites present on the subject property. There are currently more than 160 owl sites that impact Weyerhaeuser Company operations within the 400,000-acre planning area. The Weyerhaeuser Company plans to avoid the take of the marbled murrelet (*Brachyramphus marmoratus*)

, but has included murrelets in the permit application in case some unanticipated incidental take occurs. The Weyerhaeuser Company has also included the Umpqua cutthroat trout (*Oncorhynchus clarki clarki*), American peregrine falcon (*Falco peregrinus*), Columbian whitetailed deer (*Odocoileus virginianus leucurus*), bald eagle (*Haliaeetus leucocephalus*), Aleutian Canada goose (*Branta canadensis leucopareia*), and Oregon chub (*Oregonichthys crameri*) in the permit application to cover circumstances where these species may occur on the subject property and could at some point be subject to take.

The Plan is designed to complement measures being implemented on Federal lands under the Northwest Forest Plan, and includes various forms of minimization and mitigation measures which are integral parts of the Plan. It includes a schedule for early successional forest types to be provided across the landscape during the entire course of plan implementation. Mitigation for other presently listed species and species proposed for listing include specific management prescriptions for those species. For example, the strategy for the northern spotted owl was developed to facilitate connectivity between the Federal Late Successional Reserves in the Oregon Cascades and Coast Ranges. In addition to the specific measures for listed and proposed species, the Plan proposes a comprehensive riparian management strategy, the protection of special biotope areas such as forested wetlands, mineral springs, talus slopes, and caves (among others), supplemental habitat protection for selected species of concern such as pond habitat for the northwestern pond turtle, and reproductive habitat around known nest sites for golden eagles and osprey.

Minimum interim prescriptions are provided for riparian and wetland areas, and prescription development through Watershed Analysis processes according to Washington State regulations will also be completed. Specific prescriptions will also be implemented for the management of areas, such as roads and steep slopes, that are vulnerable to degrading events.

The Assessment considers four alternatives, including the proposed Plan and the no-action alternatives. Under Alternative A, the no-action alternative, the Weyerhaeuser Company would avoid the take of any and all Federally listed species and no permit would be issued. Under Alternative C, conservation of the northern spotted owl and marbled murrelet would be implemented to minimize and mitigate

for the effects of authorized take of only those two species. Under Alternative D, the applicant would manage the ownership based on standards and guidelines for Matrix land under the Northwest Forest Plan. Alternative B, the Proposed Habitat Conservation Plan Alternative, would provide minimizing and mitigating measures for proposed take of the listed and currently proposed species mentioned above. In addition, protection for unlisted species would be provided through the retention of habitat structures from harvested stands into the subsequent rotation, buffering of habitat biotopes, supplemental habitat management, and through overall landscape level management goals.

Authority: 16 U.S.C. 1531–1544, and 4201–4245.

Dated: January 16, 1997.

Thomas J. Dwyer,  
Acting Regional Director, Region 1, Portland,  
Oregon.

[FR Doc. 97–1601 Filed 1–22–97; 8:45 am]

BILLING CODE 4310–55–P

**Availability of Amended Environmental Assessment and Receipt of Application for Amendment To Previously Issued Incidental Take Permit From Sage Development Company, LLC, Daphne, AL**

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

**ACTION:** Notice.

**SUMMARY:** Sage Development Company, LLC, (Sage) seeks an amendment to their previously issued incidental take permit (ITP), PRT–811416, from the Fish and Wildlife Service (Service), pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) (Act), as amended. The ITP authorizes for a period of 30 years the incidental take of an endangered species, the Alabama beach mouse (*Peromyscus polionotus ammobates*), known to occupy a 25.7-acre tract of land owned by Sage on the Fort Morgan Peninsula, Baldwin County, Alabama. Sage proposes to expand the original project, known as The Dunes, by 9.6 acres to occupy a total project area of 35.3 acres, and expand construction to include a total of 4 condominium complexes, 50 single family/duplex lots, their associated landscaped grounds and parking areas, recreational amenities, and dune walkover structures. The originally permitted project included 3 condominium complexes, and 38 single family/duplex lots.

The Service also announces the availability of a supplement to the May

15, 1996, environmental assessment (EA) and an amended habitat conservation plan (HCP) for the revised incidental take. Copies of the EA and/or HCP may be obtained by making a request to the Regional Office (see **ADDRESSES**). This notice also advises the public that the Service has made a preliminary determination that re-issuing the ITP with the requested amendment is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969 (NEPA), as amended. The Finding of No Significant Impact (FONSI) is based on information contained in the EA and amended HCP. The final determination will be made no sooner than 30 days from the date of this notice. This notice is provided pursuant to Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

**DATES:** Written comments on the amended application, EA, and amended HCP should be sent to the Service's Regional Office (see **ADDRESSES**) and should be received on or before February 24, 1997.

**ADDRESSES:** Persons wishing to review the amended application, HCP, and EA 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 at the Jackson, Mississippi, Field Office, 6578 Dogwood View Parkway, Suite A, Jackson, Mississippi 39213. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Comments must be submitted in writing to be processed. Please reference permit PRT–811416 in such comments, or in requests for the documents discussed herein. Requests for the documents must be in writing to be adequately processed.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick G. Gooch, Regional Permit Coordinator, Atlanta, Georgia (see **ADDRESSES** above), telephone: 404/679–7110; or Mr. Will McDearman at the Jackson, Mississippi, Field Office (see **ADDRESSES** above), telephone: 601/965–4900.

**SUPPLEMENTARY INFORMATION:** The Alabama beach mouse (ABM), *Peromyscus polionotus ammobates*, is a subspecies of the common oldfield mouse *Peromyscus polionotus* and is restricted to the dune systems of the Gulf Coast of Alabama. The known

current range of ABM extends from Fort Morgan eastward to the western terminus of Alabama Highway 182, including the Perdue Unit on the Bon Secour National Wildlife Refuge (BSNWR). The sand dune systems inhabited by this species are not uniform; several habitat types are distinguishable. The species inhabits primary dunes, interdune areas, secondary dunes, and scrub dunes. The depth and area of these habitats from the beach inland varies. Population surveys indicate that this subspecies is usually more abundant in primary dunes than in secondary dunes, and usually more abundant in secondary dunes than in scrub dunes. Optimal habitat consists of dune systems with all dune types. Though fewer ABM inhabit scrub dunes, these high dunes can serve as refugia during devastating hurricanes that overwash, flood, and destroy or alter secondary and frontal dunes. ABM surveys on the applicant's property reveal habitat occupied by ABM. The applicant's property contains designated critical habitat for the ABM. Expansion of the previously-permitted project may result in the death of, or injury to, ABM in excess of that previously expected. Habitat alterations due to expanded condominium placement and subsequent human habitation of the amended project may result in further reductions of available habitat for food, shelter, and reproduction.

The supplement to the May 15, 1996, EA considers the environmental consequences of several alternatives for the amended project. One action proposed is issuance of the amended ITP based upon submittal of the revised HCP as proposed. This alternative provides for restrictions that include placing no habitable structures seaward of the designated ABM critical habitat, establishment of walkover structures across designated critical habitat, a prohibition against housing or keeping pet cats, ABM competitor control and monitoring measures, scavenger-proof garbage containers, creation of educational and information brochures on ABM conservation, and the minimization and control of outdoor lighting. Further, the revised HCP proposes to increase, in relative proportion compared to the original project, an endowment to acquire ABM habitat off-site or otherwise perform some other conservation measure for the ABM. The revised HCP provides additional funding for these mitigation measures. Another alternative is consideration of different project designs that further minimize permanent loss of ABM habitat. A third