

be found either in older mature forest of conifer or mixed conifer/deciduous types, or in regenerating stands (greater than 20 years since disturbance).

Denning habitat must be located within daily travel distance of foraging habitat.

**Lynx Diurnal Security Habitat**—In lynx habitat, areas that provide secure winter daytime bedding sites for lynx in highly disturbed landscapes, e.g., large developed winter recreational sites or areas of concentrated winter recreational use. It is presumed that lynx may be able to adapt to the presence of regular and concentrated human use during winter, so long as other critical habitat needs are being met, and security habitat blocks are present and adequately distributed in such disturbed landscapes. Security habitat will provide lynx the ability to retreat from human disturbance during winter daytime hours, emerging at dusk to hunt when most human activity ceases. Security habitats will generally be sites that naturally discourage winter human activity because of extensive forest floor structure, or stand conditions that otherwise make human access difficult, and should be protected to the degree necessary. Security habitats are likely to be most effective if they are sufficiently large to provide effective visual and acoustic insulation from winter activity and to easily allow movement away from infrequent human intrusion. These winter habitats must be distributed such that they are in proximity to foraging habitat.

**Lynx Foraging Habitat**—Habitat that supports primary prey (snowshoe hare) and/or important alternate prey (especially red squirrels) that are available to lynx. The highest quality snowshoe hare habitats are those that support a high density of young trees or shrubs (greater than 4,500 stems or branches per acre), tall enough to protrude above the snow. These conditions may occur in early successional stands following some type of disturbance, or in older forests with a substantial understory of shrubs and young conifer trees. Coarse wood debris, especially in early successional stages (created by harvest regeneration units and large fires), provides important cover for snowshoe hares and other prey. Red squirrel densities tend to be highest in mature cone-bearing forests with substantial quantities of coarse woody debris.

**Lynx Habitat**—Lynx occur in mesic coniferous forest that have cold, snowy winters and provide a prey base of snowshoe hare. Lynx records occur predominantly in lodgepole pine, subalpine fir, Engelmann spruce, and aspen vegetation cover types on

subalpine fir habitat types in the western United States. Cool, moist Douglas-fir, grand fir, or western larch forest, where they are interspersed with subalpine forest, also provide habitat for lynx.

**Primary Lynx Habitat**—Habitat that must be present to support foraging, denning, and rearing of young (in the western U.S. primary habitat is lodgepole pine or subalpine fir habitat types).

**Secondary Lynx Habitat**—Other vegetation types, when intermingled with or immediately adjacent to primary habitat, that contribute to lynx annual needs (cool/moist Douglas-fir habitat types adjacent to primary habitat).

**Unsuitable Habitat Condition**—An area that is capable of producing lynx foraging or denning habitat, but which currently does not have the necessary vegetation composition, structure, and/or density to support lynx and snowshoe hare populations during all seasons. For example, during the winter, vegetation must provide dense cover that extends above (greater than 6 feet) the average snow depth. Timber harvest, salvage harvest, commercial thinning, and prescribed fire may or may not result in unsuitable habitat conditions.

**Snowshoe Hare Habitat**—See foraging habitat.

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## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Deschutes Provincial Interagency Executive Committee (PIEC), Advisory Committee; Notice of Meeting

**SUMMARY:** The Deschutes PIEC Advisory Committee will meet on April 12-13, 2000 at the Hood River Hotel at 102 Oak Avenue, Hood River, Oregon. The first day will be a field trip starting at 10:00 a.m. to visit restoration projects in the northern part of the Province. The second day will be a business meeting that will begin at 8:30 a.m. and finish at 3:30 p.m. Agenda items will include Wilderness Issues on the Mt. Hood, Interior Columbia Basin Ecosystem Management Project Briefing and Comment Process, Working Group/Subcommittee Updates, Info Sharing Around the Province and a Public Forum from 3:00 p.m. till 3:30 p.m. All Deschutes Province Advisory Committee Meetings are open to the public.

**FOR FURTHER INFORMATION CONTACT:** Mollie Chaudet, Province Liaison, USDA, Bend-Ft. Rock Ranger District,

1230 N.E. 3rd, Bend, OR, 97701, Phone (541) 383-4769.

Dated: March 21, 2000.

**Sally Collins,**

*Deschutes National Forest Supervisor.*

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## DEPARTMENT OF AGRICULTURE

### Natural Resources Conservation Service

#### Notice of Proposed Change to Section IV of the Field Office Technical Guide (FOTG) of the Natural Resources Conservation Service in Oregon

**AGENCY:** Natural Resources Conservation Service (NRCS), USDA.

**ACTION:** Notice of availability of proposed change in Section IV of the FOTG of the NRCS in Oregon for review and comment.

**SUMMARY:** It is the intention of NRCS in Oregon to issue a revision to Conservation Practice Standard 580, Streambank and Shoreline Protection, in Section IV of the State Technical Guide in Oregon. This practice may be used in conservation systems that treat highly erodible land.

**DATES:** Comments will be received until April 27, 2000. Once the review and comment period is over and the standard is finalized, it will be placed in the individual Field Office Technical Guide in each field office.

**ADDRESSES:** Address all requests and comments to Bob Graham, State Conservationist, Natural Resources Conservation Service (NRCS), 101 SW Main Street, Suite 1300, Portland, Oregon 97204. Copies of this standard will be made available upon written request. You may submit electronic requests and comments to [dave.dishman@or.usda.gov](mailto:dave.dishman@or.usda.gov).

**FOR FURTHER INFORMATION CONTACT:** Bob Graham, 503-414-3200.

**SUPPLEMENTARY INFORMATION:** Section 343 of the Federal Agriculture Improvement and Reform Act of 1996 states that revisions made after enactment of the law, to NRCS state technical guides used to carry out highly erodible land and wetland provisions of the law, shall be made available for public review and comment. For the next 30 days, the NRCS in Oregon will receive comments relative to the proposed changes. Following that period, a determination will be made by the NRCS in Oregon regarding disposition of those comments and a final determination of changes

will be made. In Oregon, "technical guides" refers to the Field Office Technical Guide maintained at each NRCS Field Office in Oregon.

Dated: March 21, 2000.

**Bob Graham,**

*State Conservationist, Portland, Oregon.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D.022800B]

#### Small Takes of Marine Mammals Incidental to Specified Activities; Marine Seismic-Reflection Data Collection in Southern California

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

**ACTION:** Notice of receipt of application and proposed authorization for a small take exemption; request for comments.

**SUMMARY:** NMFS has received a request from the U.S. Geological Survey (USGS) for an authorization to take small numbers of marine mammals by harassment incidental to collecting marine seismic-reflection data in southern California waters. Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to authorize the USGS to incidentally take, by harassment, small numbers of marine mammals in the afore-mentioned area for a 3-week period between May and July 2000.

**DATES:** Comments and information must be received no later than April 27, 2000.

**ADDRESSES:** Comments on the application should be addressed to Donna Wieting, Chief, Marine Mammal Conservation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3225. A copy of the application and a list of references used in this document may be obtained by writing to this address or by telephoning one of the contacts listed here.

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hollingshead, NMFS, (301) 713-2055, or Christina Fahy, NMFS, 562-960-4023.

#### SUPPLEMENTARY INFORMATION:

##### Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow,

upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses, and permissible methods of taking and requirements pertaining to the monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as " \* \* \* an impact resulting from the specified activity that cannot be reasonably expected to, and is not reasonably likely to, adversely affect the species or stock through effects on annual rates of recruitment or survival."

Subsection 101(a)(5)(D) of the MMPA established an expedited process by which citizens of the United States can apply for an authorization to incidentally take small numbers of marine mammals by harassment. The MMPA now defines "harassment" as:

...any act of pursuit, torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

Subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

##### Summary of Request

On January 24, 2000, NMFS received a request from the USGS for authorization to take small numbers of several species of marine mammals by harassment incidental to collecting marine seismic-reflection data from waters off southern California. Seismic data will be collected during a 3-week period between May and July 2000, preferably June, to determine the source of the invasion of seawater into freshwater aquifers that are critical to

the Los Angeles-San Pedro area water supply and to support studies of the regional landslide and earthquake hazards for people within the coastal cities between Santa Barbara and San Diego.

##### Background

The USGS proposes to conduct a high-resolution seismic survey offshore from Southern California. For a 3-week period between May and July 1999, preferably in June, the USGS would like to collect seismic-reflection data to investigate: (1) the intrusion of seawater into freshwater coastal aquifers that are critical to the water supply for people within the Los Angeles-San Pedro area and (2) the hazards posed by landslides, tsunamis, and potential earthquake faults in the nearshore region from Santa Barbara to San Diego. Both of these tasks are multi-year efforts that require high-resolution, seismic-reflection data using a minisparker acoustic source.

Coastal Southern California is the most highly populated urban area along the U.S. Pacific coast with 30 percent of the California population (approximately 10 million people) living in Los Angeles County alone. The primary objectives of the USGS research are to provide information (1) to understand and help mitigate the intrusion of salt water into coastal aquifer systems resulting from ground-water overdraft and (2) to help mitigate the earthquake threat to this area. Data collected to address the salt water intrusion objective will be used to develop a hydrogeologic model for the region. This model will assist water managers (Water Replenishment District of Southern California and the Los Angeles County Department of Public Works) provide a safe and uncontaminated ground-water supply to the local population.

Important geologic information that the USGS will derive from this project's seismic-reflection data concerns how earthquake deformation is distributed offshore; that is, where the active faults are and what the history of movement along them has been. This should improve understanding of the shifting pattern of deformation that occurred over both the long term (approximately the last 100,000 years) and short term (the last few thousand years). The USGS seeks to identify actively deforming structures that may constitute significant earthquake threats. The USGS also proposes to locate offshore landslides that might affect coastal areas. Not only major subsea landslides might affect the footings of coastal buildings, but also very large slides can