

Notice is hereby given that on May 27, 1997, as authorized by the provisions of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

On April 9, 1997 a notice was published in the **Federal Register**, Vol. 62, No. 68, Page 17199, that an application had been filed with the Fish and Wildlife Service by Bruce Leven, Mercer Island, WA, PRT-826941, for a permit to import a sport-hunted polar bear (*Ursus maritimus*) trophy taken from the Southern Beaufort Sea population, Northwest Territories, Canada, for personal use.

Notice is hereby given that on May 27, 1997, as authorized by the provisions of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Dated: June 9, 1997.

Karen Anderson,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 97-15486 Filed 6-12-97; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of a Habitat Conservation Plan and Receipt of an Application for an Incidental Take Permit for Grover Tree Farm, Curry County, Oregon

AGENCY: Fish and Wildlife Service.

ACTION: Notice of receipt.

SUMMARY: This notice advises the public that Mr. Kendall Grover has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. The application has been assigned permit number PRT-830269. The proposed permit would authorize the incidental take, in the form of disturbance, of the marbled murrelet (murrelet, *Brachyramphus marmoratus*), federally listed as threatened. The permit would be in effect for 5 years.

The Service announces the receipt of Mr. Grover's incidental take permit application and the availability of the proposed Grover Tree Farm Habitat Conservation Plan (Plan), which accompanies the incidental take permit application, for public comment. The Plan fully describes the proposed project and the measures Mr. Grover will undertake to mitigate for project

impacts to the murrelet. The Service has determined that Mr. Grover's Plan qualifies as a "Low Effect" Plan as defined by the Fish and Wildlife 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, as provided by the Department of Interior Manual (516 DM2, Appendix 1 and 516 DM 6, Appendix 1). This notice is provided pursuant to section 10(c) of the Endangered Species Act.

Comments are specifically requested on the appropriateness of the No Surprises assurance contained in this application and described in section VI of the Plan. In the event of unforeseen or extraordinary circumstances affecting the murrelet, Mr. Grover will not be required to provide additional mitigation measures. If the Service makes a finding of extraordinary circumstances, which warrants requiring additional mitigation or compensation, the primary responsibility to provide this compensation rests with the Federal government. All comments received, including names and addresses, will become part of the official administrative record and may be made available to the public.

DATES: Written comments on the permit application and Plan should be received on or before July 14, 1997.

ADDRESSES: Comments regarding the permit application or the Plan should be addressed to the Fish and Wildlife Service, Roseburg Fish and Wildlife Office, 2900 NW Stewart Parkway, Roseburg, Oregon 97470. Please refer to permit number PRT-830269 when submitting comments. Individuals wishing copies of the application and Plan for review should immediately contact the above office. Documents also will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT:

Mr. David Peterson, Fish and Wildlife Service, Roseburg Fish and Wildlife Office, telephone (541) 957-3471.

SUPPLEMENTARY INFORMATION: Section 9 of the Endangered Species Act and Federal regulation prohibits the "taking" of a species listed as endangered or threatened. However, the Service, under limited circumstances, may issue permits to "incidentally take" listed species, which is take that is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32;

regulations governing permits for endangered species are promulgated in 50 CFR 17.22.

Background

Mr. Kendall Grover proposes to thin an 86-acre tract of his tree farm over a 5-year period. The dominant conifers on this tract are primarily 45 to 50 year-old Douglas-fir (*Pseudotsuga menziesii*), 10-20 inches in diameter with a few larger trees. The purpose of the action is to reduce tree density in those parts of the 86-acre tract where tree density is causing the growth rate of the dominant and co-dominant trees to decline. This thinning would maintain the health and increase the growth rate of the remaining forest stand. The thinning has the potential to affect the murrelet and the northern spotted owl (owl, *Strix occidentalis caurina*). Mr. Grover's tree farm is adjacent to the South Chetco Late Successional Reserve within the Siskiyou National Forest.

Owls and murrelets are not known to nest on Mr. Grover's property, but activities on Mr. Grover's property have the potential to disturb owls and murrelets that nest on the adjacent South Chetco Late Successional Reserve. The proposed timber harvest (thinning) and management plan for Mr. Grover's property described in the Plan has been designed to avoid incidental take of owls and minimize and mitigate the impacts of take, in the form of disturbance, of murrelets.

To mitigate for any disturbance that might occur to murrelets that occupy the adjacent Forest Service lands or might occupy the Plan area, and to avoid the take of any owls, Mr. Grover proposes to implement the following measures. These measures would also protect and improve murrelet habitat characteristics in the Plan area. Harvest (thinning) will occur only between July 15 and October 31 of each year covered under the Grover Tree Farm Plan. Beginning July 15 and through September 15, timber harvest activities would not begin until one hour after sunrise and would stop two hours before sunset. In the event that seasonal fire restrictions with a 1:00 p.m. daily closure are imposed, timber harvest activities may occur from sunrise to 1:00 p.m. Dominate and co-dominate trees will not be harvested except when necessary to reduce stand density where over-crowding clumps may occur. All trees to be cut will be marked by Mr. Wayne Krieger, Forest Manager. Tree spacing will be variable based on the health and vigor of the surrounding tress. It is anticipated that the stand will have a spacing of 17 feet between trees (170 trees per acre) after the thinning.

All existing large woody structures will be preserved and defective portions of logs from harvested trees will be left on the forest floor. Brush and thickets will be preserved as much as possible. Hardwood trees, young seedlings, snags, and cavity sites in conifer trees, will be preserved as much as possible. Existing roads, trails and landings will be utilized where possible. New construction for access and disturbances to ground cover will be minimized. Skid trails will utilize existing openings to the maximum extent practical. Erosion, which is unlikely to occur under dry soil conditions, will be handled by acceptable conservation practices such as reseeded if it becomes a problem. Most large residual trees from previous harvest will be preserved, and all large residual trees with old-growth characteristics will not be harvested.

The Service has determined that the Grover Tree Farm Plan qualifies as a "Low Effect" Plan as defined by the Service's Habitat Conservation Planning Handbook. Low Effect Plans 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 Grover Tree Farm Plan qualifies as a Low Effect Plan for the following reasons:

1. Approval of the Plan will result in minor or negligible effects on the murrelet. The Service does not anticipate significant direct or cumulative effects to the murrelet or owl will result from the proposed thinning.
2. The proposed thinning will not have adverse effects on unique geographic, historic or cultural sites, or involve unique or unknown environmental risks.
3. Approval of the Plan will not result in any cumulative or growth inducing impacts and, therefore, will not result in 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 this Plan will 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 Grover Tree Farm Plan qualifies as a categorical exclusion

under the National Environmental Policy Act, as provided by the Department of Interior Manual (516 DM2, Appendix 1 and 516 DM 6, Appendix 1). No further National Environmental Policy Act documentation will therefore be prepared.

This notice is provided pursuant to section 10(c) of the Endangered Species Act. The Service will evaluate the permit application, Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Endangered Species Act. If it is determined that the requirements are met, a permit will be issued for the incidental take of the marbled murrelet. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: June 9, 1997.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97-15514 Filed 6-12-97; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*):

[PRT-830412]

Applicant: Carnivore Preservation Trust, Pittsboro, NC.

The applicant requests a permit to import one captive-bred male ocelot (*Leopardus pardalis*) from Tierpark Herstein, Austria for the purpose of enhancement of the species through captive propagation.

[PRT-830142]

Applicant: Andrew Merriwether, University of Michigan, Ann Arbor, MI.

The applicant requests a permit to import chimpanzee (*Pan troglodytes*) shed hair samples collected in the Kibale National Park, Uganda, for the purpose of scientific research.

[PRT-830530]

Applicant: James McKeown, Jr., Clearwater, FL.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd

maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

[PRT-830569]

Applicant: Melissa Etheridge, Colorado State University, Fort Collins, CO.

The applicant requests a permit to import blood samples collected from captive chimpanzees (*Pan troglodytes*) held by the Uganda Wildlife Education Center, Entebbe, Uganda, for the purpose of scientific research.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

The public is invited to comment on the following application(s) for permits to conduct certain activities with marine mammals. The application(s) was/were submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) and the regulations governing marine mammals (50 CFR 18).

[PRT-801652]

Applicant: Alaskan Science Resource Center, Anchorage, AK.

Type of Permit: Scientific Research.

Name and Number of Animals:

Walrus (*Odobenus rosmarus*), 230.

Summary of Activity to be

Authorized: The applicant has requested a second amendment to the permit for scientific research of Pacific walrus in Alaska to include use of alternative drugs for anaesthesia of walrus, and the effects of helicopter overflights on walrus behavior. This request follows the first amendment request published April 24, 1997 [62 FR 20019] which is still pending.

Source of Marine Mammals for Research/Public Display: Alaska.

Period of Activity: through 12/31/2000, the expiration date of the current permit.

[PRT-827717]

Applicant: Pfennig Wildlife Museum, Beulah, ND.

Type of Permit: Public Display.

Name and Number of Animals: polar bear (*Ursus maritimus*); 1.

Summary of Activity to be

Authorized: the applicant has requested a permit to import a taxidermied and mounted polar bear for the purposes of public display.

Source of Marine Mammals for Research/Public Display: sport-hunted by the Museum director in the Northwest Territories, Canada.