

piping plover (*Charadrius melodus*)  
 red-cockaded woodpecker (*Picoides borealis*)  
 southwestern willow flycatcher (*Empidonax  
 traillii extimus*)  
 Houston toad (*Bufo houstonensis*)  
 Big Bend gambusia (*Gambusia gaigei*)  
 Comanche Springs pupfish (*Cyprinodon  
 elegans*)

Permittee also requests authorization  
 to collect the minimal amounts  
 necessary for identification of the  
 following plants from existing or new  
 highway rights-of-way:

Navasota ladies'-tresses (*Spiranthes parksii*)  
 Nellie cory cactus (*Coryphantha minima*)  
 slender rush pea (*Hoffmannseggia tenella*)  
 Sneed's pincushion cactus (*Coryphantha  
 sneedii* var. *sneedii*)  
 star cactus (*Astrophyllum asterias*)  
 Terlingua Creek cat's-eye (*Cryptantha  
 crassipes*)  
 Texas ambrosia (*Ambrosia cheiranthifolia*)  
 Texas ayenia (*Ayenia limitaris*)  
 Texas poppy-mallow (*Callirhoe scabriuscula*)  
 Texas prairie dawn (*Hymenoxys texana*)  
 Texas snowbells (*Styrax texana*)  
 Texas trailing phlox (*Phlox nivalis* var.  
*texensis*)  
 Tobusch fishhook cactus (*Ancistrocactus  
 tobuschii*)  
 Walker's manioc (*Manihot walkerae*)  
 white bladderpod (*Lesquerella pallida*)  
 ashy dogweed (*Thymophylla tephroleuca*)  
 black lace cactus (*Echinocereus  
 reichenbachii* var. *albertii*)  
 bunched cory cactus (*Coryphantha  
 ramillosa*)  
 Davis' green pitaya (*Echinocereus viridiflorus  
 var. Davisii*)  
 Hinckley's oak (*Quercus hinckleyi*)  
 Johnston's frankenia (*Frankenia johnstonii*)  
 large-fruited sand verbena (*Abronia  
 macrocarpa*)  
 Little Aguja pondweed (*Potamogeton  
 clystocarpus*)  
 Lloyd's mariposa cactus (*Neolloydia  
 mariposensis*)

Permit No. PRT-820283

Applicant: Dr. David M. Leslie, Stillwater,  
 Oklahoma

Applicant requests authorization to  
 collect by seine and freeze 30 specimens  
 of Pecos Gambusia (*Gambusia nobilis*)  
 at each of 10 sites in the Diamond Y  
 Draw Preserve of the Texas Nature  
 Conservancy, Pecos County, Texas.

Permit No. PRT-833851

Applicant: Robert Hansen, Austin, Texas

Applicant requests authorization for  
 scientific monitoring, enhancement of  
 propagation or survival, and incidental  
 taking of the Barton Springs salamander  
 (*Eurycea sosorum*).

Permit No. PRT-833866

Applicant: Donna Work, Lufkin, Texas

Applicant requests authorization to  
 conduct presence/absence surveys for  
 red-cockaded woodpeckers (*Picoides  
 borealis*); monitor populations, cavity  
 trees, and stand conditions; midstory

and understory removal/control; install  
 artificial cavity inserts, restrictor plates,  
 hardware cloth, and snake exclusion  
 devices; banding and sexing of  
 juveniles; and capturing, handling and  
 possible banding of adults.

Permit No. PRT-833867

Applicant: Juan Valera-Lema, Austin, Texas

Applicant requests authorization hold  
 4 Barton Springs salamanders (*Eurycea  
 sosorum*) and to collect and/or receive  
 25 additional species for educational  
 display purposes at the Austin Nature  
 and Science Center.

Permit No. PRT-833868

Applicant: E. Linwood Smith, Tucson,  
 Arizona

Applicant requests authorization to  
 conduct presence/absence surveys for  
 the cactus ferruginous pygmy-owl  
 (*Glaucidium brasilianum cactorum*) on  
 the Barry M. Goldwater Air Force Range  
 in Arizona.

Permit No. PRT-822998

Applicant: John M. McGee, Tucson, Arizona

Applicant request authorization for  
 scientific research and recovery  
 purposes to survey for the Sonora tiger  
 salamander (*Ambystoma tigrinum  
 stebbinsi*), Huachuca water umbel  
 (*Lilaeopsis schaffneriana ssp recurva*),  
 Pima pineapple cactus (*Coryphantha  
 scheeri robustispina*), New Mexican  
 ridge-nosed rattlesnake (*Crotalus  
 willardi obscurus*), Gila topminnow  
 (*Poeciliopsis occidentalis occidentalis*),  
 Sonora chub (*Gila ditaenia*), American  
 peregrine falcon (*Falco peregrinus  
 anatum*), and Canelo Hills ladies'  
 tresses (*Spiranthes delitescens*).

**DATES:** Written comments on these  
 permit applications must be by October  
 14, 1997.

**ADDRESSES:** Written data or comments  
 should be submitted to the Legal  
 Instruments Examiner, Division of  
 Endangered Species/Permits, Ecological  
 Services, P.O. Box 1306, Albuquerque,  
 New Mexico 87103. Please refer to the  
 respective permit number for each  
 application when submitting comments.  
 All comments received, including  
 names and addresses, will become part  
 of the official administrative record and  
 may be made available to the public.

**FOR FURTHER INFORMATION CONTACT:** U.S.  
 Fish and Wildlife Service, Ecological  
 Services, Division of Endangered  
 Species/Permits, P.O. Box 1306,  
 Albuquerque, New Mexico 87103.  
 Please refer to the respective permit  
 number for each application when  
 requesting copies of documents.  
 Documents and other information  
 submitted with these applications are  
 available for review, subject to the

requirements of the Privacy Act and  
 Freedom of Information Act, by any  
 party who submits a written request for  
 a copy of such documents within 30  
 days of the date of publication of this  
 notice, to the address above.

**Jerome M. Butler,**

Acting Regional Director, Region 2  
 Albuquerque, New Mexico.

[FR Doc. 97-24115 Filed 9-10-97; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Receipt of an Application for an Incidental Take Permit by Langboard, Inc. for Construction of a Fiberboard Manufacturing Facility Near Willacoochee, Atkinson County, GA

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

**ACTION:** Notice.

**SUMMARY:** Langboard, Inc. (Applicant)  
 seeks 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  
 (16 U.S.C. 1531 *et seq.*), as amended  
 (Act). The Applicant proposes to  
 construct a fiberboard manufacturing  
 facility and associated infrastructure on  
 sandhill habitat near Willacoochee,  
 Atkinson County, Georgia. The  
 threatened Eastern indigo snake  
 (*Drymarchon corais couperi*) is known  
 to occur on the property. The ITP would  
 authorize incidental take of snakes  
 throughout the life of the facility. To  
 minimize impacts associated with the  
 proposed project, Langboard proposes to  
 implement conservation measures to  
 restore degraded snake habitat on 59  
 acres adjacent to the proposed facility.

The Service also announces the  
 availability of the HCP for the incidental  
 take application. Copies of the HCP may  
 be obtained by making a request to the  
 Regional Office (see **ADDRESSES**).  
 Requests must be in writing to be  
 processed. This notice also advises the  
 public that the Service has made a  
 preliminary determination that issuing  
 the ITP is available through the  
 Categorical Exemption process outlined  
 in the Service's Departmental Manual  
 governing implementation of the  
 National Environmental Policy Act  
 (NEPA). This notice is provided  
 pursuant to Section 10 of the Act and  
 NEPA regulations (40 CFR 1506.6). The  
 Service specifically requests comment  
 on the appropriateness of the "No  
 Surprises" assurances should the  
 Service determine that an ITP will be

granted and based upon the submitted HCP. Although not explicitly stated in the HCP, the Service has, since August 1994, announced its intention to honor a "No Surprises" Policy for applicants seeking ITPs. Copies of the Service's "No Surprises" Policy may be obtained by making a written request to the Regional Office (see ADDRESSES). The Service is soliciting public comments and review of the applicability of the "No Surprises" Policy to this application and HCP.

**DATES:** Written comments on the permit application and HCP should be sent to the Service's Regional Office (see ADDRESSES) and should be received on or before October 14, 1997.

**ADDRESSES:** Persons wishing to review the application and HCP 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, Brunswick, Georgia Field Office, 4270 Norwich Street, Brunswick, Georgia 31520. Written data or comments concerning the application or HCP 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 PRT-833793 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; or Ms. Robin Goodloe, Fish and Wildlife Biologist, Brunswick, Georgia Field Office, (see ADDRESSES above), telephone: 912/265-9336.

**SUPPLEMENTARY INFORMATION:** The Eastern indigo snake (snake) is a large, docile, non-venomous snake reaching more than 7 feet in length. The snake once was a common southeastern Coastal Plain species found from South Carolina to Louisiana. Now it occurs in significant numbers only in Georgia and Florida and is believed to be declining throughout its range. Declines in snake populations are primarily due to habitat loss. Sandhill habitats within the range of the snake have been severely impacted by silviculture, farming, and urbanization. A reduction in numbers and extent of wildfires and prescribed burns has resulted in adverse modification of sandhill habitats. Snake

collections for the pet trade and deaths related to rattlesnake hunting also reduced numbers. Additional mortality may result from bioaccumulation of pesticides and herbicides.

In Georgia, the primary habitat of the snake is dry sandhills (longleaf pine-turkey oak-wiregrass association) interspersed with wetland habitats such as drainageways, river swamps, and cypress ponds. The majority of snake winter dens in Georgia are located in gopher tortoise (*Gopherus polyphemus*) burrows. Snakes are quiescent during winter, and the availability of deep dens that do not flood (e.g., gopher tortoise burrows on the sandhills) is essential for winter survival. Snakes move from winter habitat in the sandhills to stream bottoms and agricultural fields from May through November. Seasonal range from May through July is estimated at 17 acres and increases to 39 acres from August to November.

Snakes forage in a variety of forest types including wetlands and upland pine-hardwoods up to a mile from their winter dens. The snake feeds on other snakes, frogs, toads, small mammals, birds, turtles, fish, and other vertebrates. Mating activity (recorded in a captive colony at Auburn) begins in November, peaks in December, and continues into March. Nests tend to be located in abandoned gopher tortoise burrows and rotting pine stumps.

The current status and future survival of the snake is likely linked directly to the status of sandhill habitat. Density of gopher tortoise populations, and therefore, snake habitat, is closely related to available biomass of herbaceous food plants; this in turn is dependent on a sparse tree canopy and relatively open (litter free) ground conditions. Frequent fires that remove some, but not all, scrub hardwood and most brush are essential in maintaining habitat quality.

Langboard, Inc. proposes to construct a fiberboard manufacturing facility, with associated infrastructure, on a 723-acre site near Willacoochee, Atkinson County, Georgia. The majority of the property is flatwood wetlands, which will be avoided during construction. The northern 200 acres primarily is sandhill habitat planted in pine. Two federally threatened snakes, as well as 88 active and 713 inactive or abandoned gopher tortoise burrows, were located in upland habitats on the property during 1996 surveys. The fiberboard manufacturing facility will be constructed on 45.29 acres of sandhill habitat that currently supports four active and 94 inactive/abandoned gopher tortoise burrows.

Construction and operation of the fiberboard manufacturing facility may directly injure or kill snakes that utilize the site or indirectly cause death or injury by destroying gopher tortoise burrows that provide snakes with winter dens, refugia, and egg-laying habitat. To minimize impacts associated with the proposed project, the Applicant proposes to implement conservation measures to restore 59 acres of sandhill habitat adjacent to the proposed facility. Conservation measures on different areas managed under the HCP will include prescribed warm season burns on a regular basis throughout the lifetime of the facility, replanting with longleaf pine (*Pinus palustris*), maintenance of overstory at a 30-40 percent open canopy, thinning other areas to stimulate growth of herbaceous vegetation, and maintaining a buffer along a county road and the property's north boundary.

The Service will evaluate whether the issuance of the 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 biological opinion, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP.

On Thursday, January 16, 1997, the Service published a notice in the **Federal Register** announcing the Final Revised Procedures for implementation of NEPA (NEPA Revisions), (62 FR 2375-2382). The NEPA revisions update the Service's procedures, originally published in 1984, based on changing trends, laws, and consideration of public comments. Most importantly, the NEPA revisions reflect new initiatives and Congressional mandates for the Service, particularly involving new authorities for land acquisition activities, expansion of grant programs and other private land activities, and increased Endangered Species Act permit and recovery activities. The revisions promote cooperating agency arrangements with other Federal agencies; early coordination techniques for streamlining the NEPA process with other Federal agencies, Tribes, the States, and the private sector; and integrating the NEPA process with other environmental laws and executive orders. Section 1.4 of the NEPA Revisions identify actions that may qualify for Categorical Exclusion. Categorical exclusions are classes of actions which do not individually or cumulatively have a significant effect on the human environment. Categorical exclusions are not the equivalent of statutory exemptions. If exceptions to categorical exclusions apply, under 516

DM 2, Appendix 2 of the Departmental Manual, the departmental categorical exclusions cannot be used. Among the types of actions available for a Categorical Exclusion is for a "low effect" HCP/incidental take permit application. A "low effect" HCP is defined as an application that, individually or cumulatively, has a minor or negligible effect on the species covered in the HCP [Section 1.4(C)(2)].

The Service considers the Applicant's project and HCP such a Categorical Exclusion, since the impacts of issuing the ITP involve only a small area of the affected species' range and the anticipated level of incidental take is minimal. The Service is soliciting for public comments on this determination.

Dated: September 4, 1997.

**H. Dale Hall,**

*Acting Regional Director.*

[FR Doc. 97-24114 Filed 9-10-97; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction and Operation of Approximately 143.6 Acres of Light Industrial Development on the Approximately 440-Acre Schlumberger Property (PRT-827597), in Austin, Travis County, TX**

**SUMMARY:** The Schlumberger Technology Corporation (applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The applicant has been assigned permit number PRT-827597. The requested permit, which is for a period of 30 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take on the 440-acre parcel would occur as a result of 143.6 acres of light industrial development. A minimum of approximately 195 acres will be preserved in its natural state as a conservation easement. All construction will occur on the 440-acre Schlumberger Property located in Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of whether jeopardy to the species will occur, or a Finding of

No Significant Impact (FONSI), will not be made before 30 days from the date of publication of this notice.

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 application should be received by October 14, 1997.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Sybil Vosler, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 a.m. to 4:30 p.m.) at the Austin Ecological Services Field Office. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Field Supervisor, Austin Ecological Services Field Office. Please refer to permit number PRT-827597 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Sybil Vosler at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. However, the Service, under limited circumstances, may issue permits to take endangered wildlife species, when such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

**APPLICANT:** Schlumberger Technology Corporation plans to construct a light industrial development on approximately 143.6 acres and preserve a minimum of 195 acres within the 440-acre tract. The construction will be at the Schlumberger property located east of R.M. 620, approximately 1 mile north of RM 2222 on the northwest side of the City of Austin, roughly 12 miles from the downtown area. The preserved area will be maintained in its natural state and a conservation easement will be granted in perpetuity and held by a non-profit conservation organization or governmental agency approved by the Service.

Alternatives to this action were rejected because selling with federally-listed species present or not developing

the subject property were not economically feasible.

**Jerome M. Butler,**

*Regional Director, Region 2, Albuquerque, New Mexico.*

[FR Doc. 97-24116 Filed 9-10-97; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Issuance of Permit for Marine Mammals**

On July 10, 1997, a notice was published in the **Federal Register**, Vol. 62, No. 132, Page 37072, that an application had been filed with the Fish and Wildlife Service by James Y. Jones, Dublin, GA, for a permit (PRT-831722) to import a sport-hunted polar bear for personal use.

Notice is hereby given that on August 14, 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 June 26, 1997, a notice was published in the **Federal Register**, Vol. 62, No. 123, Page 34482, that applications had been filed with the Fish and Wildlife Service by Hossein Golabchi, Augusta, GA (PRT-830486) and Dennis Schlegel, Ione, WA (PRT-830807) for a permit to each applicant for import of a sport-hunted polar bear for personal use.

Notice is hereby given that on August 18, 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 permits subject to certain conditions set forth therein.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Rm 430, Arlington, Virginia 22203. Phone (703) 358-2104 or Fax (703) 358-2281.

Dated: September 5, 1997.

**Mary Ellen Amtower,**

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

[FR Doc. 97-24012 Filed 9-10-97; 8:45 am]

BILLING CODE 4310-55-P