

monitor all excavation during the construction phase of the development, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

**PRT-841088** [9.74 acres; parcel 3; Tract B; Purcell Investments] Shopping center, 60% impervious cover, with stormwater detention facilities in areas on remainder of tract. Minimization, mitigation and monitoring measures include the following: run-off routed to avoid impacts to the cave preserve, fire ant control measures, pesticide and herbicide use to EPA guidelines, all run-off directed away from Tooth Cave, a contractor who will monitor all excavation during the construction phase of the development, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

**PRT-841090** [7.6 acres; parcel 9; Tract G; GDF Realty] Shopping center on 60% of property, bermed stormwater detention facilities in areas on the remainder of the property. According to this HCP, none of the property has been found to be suitable habitat for the warbler or vireo. Nevertheless, this HCP states that clearing in occupied warbler or vireo habitat will occur only during times of the year when birds are not present, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations. The tract contains karst habitat.

**PRT-841093** [30.47 acres; parcel 7; Tract E; Purcell Investments] Residential development on flatter acreage (no acreage or site plan submitted), bermed stormwater detention facilities in undeveloped areas, road construction mentioned, but the access route not included on any map. According to this HCP, none of the property has been found to be suitable habitat for the warbler or vireo. Nevertheless, this HCP states that clearing in occupied warbler or vireo habitat will occur only during times of the year when birds are not present, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

**PRT-841117** [28 acres, parcels 1 & 2; Tract A; Purcell Investments] Shopping center, 60% impervious cover, bermed

stormwater detention facilities to be located on the remaining 40%. Minimization, mitigation and monitoring measures include the following: run-off routed to avoid impacts to caves, fire ant control measures, pesticides and herbicides used according to EPA guidelines, a contractor to monitor all excavation during the construction phase, human recreation will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

**PRT-841120** [47 acres; parcel 5 & 6; Tract D; Purcell Investments] Mixed-use development on 60% of the property, bermed stormwater detention facilities in the remaining areas (the site plan submitted suggests slightly less intense use). Minimization, mitigation and monitoring measures include the following: run-off from proposed commercial development routed to avoid impacts to cave preserves, fire ant control measures, pesticides and herbicides used according to EPA guidelines, all run-off directed from adjacent preserve, a contractor to monitor all excavation during the construction phase of development, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

**PRT-841125** [74 acres; parcel 4; Tract C; Purcell Investments] Office and multi-family development on 60% of site, stormwater detention facilities located in areas on the remainder of the site, not otherwise developed. Minimization, mitigation and monitoring measures include the following: run-off to be routed to avoid impacts to the cave preserve, fire ant control measures, pesticide and herbicide use according to EPA guidelines, a contractor to monitor all excavation during the construction phase, human use will be restricted to passive recreation, such as hiking, and undeveloped areas to be monitored for three years to detect warbler, vireo, blue jay, scrub jay and brown-headed cowbird populations.

The HCPs which the applicant has provided do not provide detailed descriptions of long-term funding. The summary of environmental effects that may occur due to the actions of these projects contain factual errors. The draft environmental assessments submitted by the applicant also do not contain details of alternative analyses conducted during development of the HCPs.

During the HCP development phase, the Service discussed with the applicant various options for minimizing or avoiding species impacts. Nevertheless, the applicant has requested that the Service proceed with processing the seven applications as submitted.

**Applicant:** GDF Realty Investments, Ltd., in conjunction with Mr. R. James George, Jr., Purcell Investments L.P., Parke Properties I, L.P. and Parke Properties II, L.P., each entity of Austin, Texas, plans to construct and operate seven commercial and/or residential developments in Travis County, Texas. These actions will take place on 216.4 acres of habitat in the area known as the Hart Triangle and used by the endangered golden-cheeked warbler, black-capped vireo, Tooth Cave pseudoscorpion, Tooth Cave spider, Tooth Cave ground beetle, Kretschmarr Cave mold beetle, Bee Cave Creek harvestman, and/or Bone Cave harvestman.

**Nancy M. Kaufman,**

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

[FR Doc. 99-9659 Filed 4-14-99; 11:39 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Incidental Take Permits; Williamson Co., TX

Notice of Availability of a Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction and Operation of the Buttercup Creek's Section 4 and Phase V and Extension of Lakeline Boulevard (275 acres of the 438 acres), Williamson County, Texas.

**SUMMARY:** Lumbermen's Investment Corporation (Applicant) has applied to the 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-836384. The requested permit, which is for a period of 30 years, would authorize the potential incidental take of the endangered Tooth Cave ground beetle (*Rhadine persephone*). The proposed take would occur as a result of the construction of single-family and multi-family residences on 275 acres of the 438 acres at the intersection of Buttercup Blvd. and Lakeline Blvd. in Williamson County, Texas.

The Service has prepared the draft Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the

incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 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 May 17, 1999.

**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 draft EA/HCP may obtain a copy by contacting Christina Longacre, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Field Office, Austin, Texas at the above address. Please refer to permit number PRT-836384 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Christina Longacre at the above Austin Ecological Services Field Office.

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

**Applicant:** Lumbermen's Investment Corporation plans to construct single-family and multi-family residences on 275 acres of the 438 acres in Williamson County, Texas. This action is not expected to impact any Tooth Cave ground beetle habitat directly or indirectly, although the potential to discover an unknown feature does exist. The Applicant proposes to preserve in perpetuity all known features of both endangered and species of concern caves.

Alternatives to this action were rejected because alternative designs or not developing the subject property

with federally listed species present was not economically feasible.

**Charlie Sanchez, Jr.,**

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

[FR Doc. 99-9509 Filed 4-15-99; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Issuance of Permit for Marine Mammals

On February 3, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 22, Page 5310, that an application had been filed with the Fish and Wildlife Service by Michael Carpinito for a permit (PRT-007280) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Southern Beaufort Sea polar bear population, Canada, for personal use.

Notice is hereby given that on March 24, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 33, Page 8397, that an application had been filed with the Fish and Wildlife Service by Denis Danner for a permit (PRT-007279) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, for personal use.

Notice is hereby given that on April 2, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 33, Page 8397, that an application had been filed with the Fish and Wildlife Service by Steve Kобрine for a permit (PRT-006302) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, for personal use.

Notice is hereby given that on April 2, 1999, 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 January 22, 1999, a notice was published in the **Federal Register**, Vol.

64, No. 14, Page 3539, that an application had been filed with the Fish and Wildlife Service by Ina L. Johnson for Ernest L. Johnson for a permit (PRT-006116) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, prior to April 30, 1994, for personal use.

Notice is hereby given that on April 2, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 33, Page 8397, that an application had been filed with the Fish and Wildlife Service by Patrick Short for a permit (PRT-007671) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, for personal use.

Notice is hereby given that on April 2, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 33, Page 8397, that an application had been filed with the Fish and Wildlife Service by Carl Ulberg for a permit (PRT-003949) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, for personal use.

Notice is hereby given that on April 6, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol. 64, No. 33, Page 8397, that an application had been filed with the Fish and Wildlife Service by Johnny Bliznak for a permit (PRT-004455) to import a polar bear (*Ursus maritimus*) sport-hunted trophy taken from the Lancaster Sound polar bear population, Canada, for personal use.

Notice is hereby given that on April 1, 1999, 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 February 19, 1999, a notice was published in the **Federal Register**, Vol.