

management plan. An open house will be held in Alameda on August 12, 1997. Issues and concerns expressed by the public at this meeting will be considered in the development of the CMP and NEPA documentation. The Service will inform interested parties of the open house through a "Planning Update," news release, and legal notice.

U.S. Fish and Wildlife Service policy is to have all lands within the National Wildlife Refuge System managed in accordance with an approved CMP. The CMP guides management decisions and identifies refuge goals, long-range objectives, and strategies for achieving refuge purposes. Public input into this planning process is encouraged. The CMP will provide other agencies and the public with a clear understanding of the desired conditions for the Refuge and how the Service will implement management strategies.

The 2,796-acre Naval Air Station Alameda was closed on April 25, 1997. The Service has requested 900 acres (525 acres of land and 375 acres of open water) for use as a wildlife refuge.

A CMP is needed because no formal, long-term management direction exists for managing the proposed Alameda NWR. Until the CMP is completed, Refuge management will be guided by official Refuge purposes; Executive Order 8104; Federal legislation regarding management of national wildlife refuges; and other legal, regulatory, and policy guidance.

Upon implementation, the CMP would apply only to Federal lands within the proposed boundaries of the Alameda NWR. Issues to be addressed in the plan include habitat management, public use, nuisance species management, and secondary uses, such as a limited-use airport. The plan will include the following topics:

(a) Population monitoring of the California least terns an endangered species;

(b) Wildlife habitat management including control of exotic vegetation; maintenance, habitat enhancement, and expansion of the existing California Least tern breeding site; installation of additional electric fence around tern nesting sites; and construction and maintenance of a chain-link perimeter fence to protect terns from terrestrial predators, human trespass, and other disturbance;

(c) Nuisance species management including the reduction of predator habitat and raptor perches immediately adjacent to the tern nesting site; trapping and removal of nonnative target animals;

(d) Public use including environmental education, docent-led

tours, perimeter trail, interpretive signs and panels, viewing platform;

(e) Non-recreational uses, such as a limited-use private airport;

(f) Road access to pedestrians and bicycles;

(g) Law enforcement;

(h) Facilities management including existing bunkers and small supply buildings.

Alternatives that address the issues and management strategies associated with these topics will be included in the environmental document.

With the publication of this notice, the public is encouraged to send written comments on these and other issues, courses of action that the Service should consider, and potential impacts that could result from CMP implementation on the proposed Alameda NWR.

Comments already received are on record and need not be resubmitted.

The environmental review of this project will be conducted in accordance with the requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), NEPA regulations (40 CFR 1500-1509), other appropriate Federal laws and regulations, Executive Order 12996, and Service policies and procedures for compliance with those regulations.

We estimate that the draft environmental document will be available in November 1997.

Electronic Access and Filing Address

You may submit comments by sending electronic mail (e-mail) to r1planning_guest@fws.gov (with "Alameda NWR" typed in the subject line). Submit comments as an ASCII file, avoiding the use of special characters and any form of encryption.

Dated: July 28, 1997.

Thomas J. Dwyer,

Acting Regional Director, Region 1, Portland, Oregon.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of an Environmental Assessment, Finding of No Significant Impact, and Receipt of an Application for an Incidental Take Permit for Construction of a Single Family Residence in Charlotte County, Florida

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Mr. E.J. Mouhot (Applicant), is seeking 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 (Act), as amended. The ITP would authorize the take of one family of the threatened Florida scrub jay (FSJ), *Aphelocoma coerulescens coerulescens* for a period of six months. The proposed taking is incidental to construction of a single family home on about 0.69 acres (Project) in section 9, Township 40 South, Range 19 East, Charlotte County, Florida. The Applicant's Project is located within an existing (though incomplete) residential subdivision known as Manasota Gardens. A description of the mitigation and minimization measures outlined in the Applicant's Habitat Conservation Plan (HCP) to address the effects of the Project to the protected species is as described further in the **SUPPLEMENTARY INFORMATION** section below.

The Service also announces the availability of an environmental assessment (EA) and HCP for the incidental take application. Copies of the EA and/or 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 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 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). 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, EA, and HCP should be sent to the Service's Regional Office (see

ADDRESSES) and should be received on or before September 3, 1997.

ADDRESSES: Persons wishing to review the 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 Field Supervisor, U.S. Fish and Wildlife Service, South Florida Ecosystem Office, Post Office Box 2676, Vero Beach, Florida 32961-2676. Written data or comments concerning the application, EA, 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-832536 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 Mr. Mike Jennings, Fish and Wildlife Biologist, South Florida Ecosystem Office, (see **ADDRESSES** above), telephone: 561/562-3909.

SUPPLEMENTARY INFORMATION:

Aphelocoma coerulescens coerulescens is geographically isolated from other subspecies of scrub jays found in Mexico and the Western United States. The FSJ is found almost exclusively in peninsular Florida and is restricted to scrub habitat. The total estimated population is between 7,000 and 11,000 individuals. Due to habitat loss and degradation throughout the State of Florida, it has been estimated that the FSJ has been reduced by at least half in the last 100 years.

The status of FSJs in southwest Florida cannot accurately be estimated because no historical biological data exists with which to compare current species status. Based on the information identified in the Service's EA, the Service concludes that xeric habitats have been destroyed or degraded because of agricultural and urban uses, but FSJ responses to habitat disturbances are not well documented. However, based on existing soils data, the Service believes that much of the FSJ habitat that was once widespread along a narrow strip along coastal and riverine portions of Lee, Charlotte, and Sarasota counties has been lost. Because of the loss in habitat, the Service concludes that the number and distribution of FSJs has also declined.

FSJ families occupying the Project site and Manasota Gardens Subdivision are part of a larger complex of FSJ families that persist in southwest Sarasota and northwest Charlotte counties. FSJ inhabiting the Project site represent one of eight confirmed FSJ families that reside within the Manasota Gardens Subdivision. The status of FSJ within the Project site and adjacent areas is not secure over the long term. Recent biological studies of the FSJ population suggests that FSJ families within Manasota Gardens Subdivision will likely decline in the future due to decreasing habitat quality and availability because of habitat fragmentation associated with residential development. The Service, through consultation with other experts, believes that FSJs will decline, over time, in residential settings.

Construction of the Project's infrastructure and subsequent construction of the individual homesites will likely result in death of, or injury to, *Aphelocoma coerulescens coerulescens* incidental to the carrying out of these otherwise lawful activities. Habitat alteration associated with property development will reduce the availability of feeding, shelter, and nesting habitat.

The EA considers the environmental consequences of two alternatives. The no action alternative may result in loss of habitat for *Aphelocoma coerulescens coerulescens* and exposure of the Applicant under Section 9 of the Act. The proposed action alternative is issuance of the ITP. To compensate for the destruction of 0.59 acres of FSJ habitat and the take of one FSJ family, the Applicant has proposed to preserve 0.10 acres of scrub on the Project site. Further, clearing of vegetation and/or construction would not be allowed within 46 meters of any active FSJ nest during the nesting season, approximately March 1 to June 30 to comply with State law. Based on the Applicant's HCP, financial compensation was also offered to the local chapter of the Audubon Society to be used for FSJ monitoring in southern Sarasota County, but the Audubon Society rejected the offer. The Service did not specifically request other mitigation for the Project's impacts and no other compensation was offered by the Applicant.

As stated above, the Service has made a preliminary determination that the issuance of the ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of NEPA. This preliminary information may be revised due to public comment

received in response to this notice and is based on information contained in the EA and HCP. An appropriate excerpt from the FONSI reflecting the Service's finding on the application is provided below:

Based on the analysis conducted by the Service, it has been determined that:

1. Issuance of an ITP would not have significant effects on the human environment in the project area.

2. The proposed take is incidental to an otherwise lawful activity.

3. The Applicant has minimized impacts on the project site to the extent practicable.

4. Other than impacts to the threatened species as outlined in the documentation of this decision, the indirect impacts which may result from issuance of the ITP are addressed by other regulations and statutes under the jurisdiction of other government entities. The validity of the Service's ITP is contingent upon the Applicant's compliance with the terms of the permit and all other laws and regulations under the control of State, local, and other Federal governmental entities.

The Service will also evaluate whether the issuance of a 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.

Dated: July 25, 1997.

H. Dale Hall,

Acting Regional Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Fish and Wildlife Service

[OR-015-97-1020-00: G7-0140]

Plan Amendment to the Warner Lakes Management Framework Plan

AGENCY: Bureau of Land Management (BLM) and Fish and Wildlife Service (USFWS), DOI.

ACTION: Notice of Intent, Plan Amendment to the Warner Lake Management Framework Plan and Jurisdictional Land Exchange with the Hart Mountain National Antelope Refuge.

SUMMARY: The Lakeview District (BLM) and Hart Mountain National Antelope