

Northwest Territories, Canada for personal use.

*Applicant:* John C. Byram, Jr., Mission, KS, PRT-833352.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the McClintock Channel polar bear population, Northwest Territories, Canada for personal use.

*Applicant:* Bobbie McLawhorn, New Bern, NC, PRT-833590.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the McClintock Channel polar bear population, Northwest Territories, Canada for personal use.

*Applicant:* Robert B. Johnson, Millwood, NY, PRT-833623.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the Southern Beaufort Sea polar bear population, Northwest Territories, Canada for personal use.

*Applicant:* Collins F. Kellogg, Sr., Croghan, NY, PRT-833625.

The applicant requests a permit to import a polar bear (*Ursus maritimus*) sport-hunted from the Parry Channel polar bear population, Northwest Territories, Canada for personal use.

Written data or comments, requests for copies of the complete applications, or requests for a public hearing on any of these applications for marine mammal permits should be sent to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 N. Fairfax Drive, Room 430, Arlington, Virginia 22203, telephone 703/358-2104 or fax 703/358-2281 and must be received within 30 days of the date of publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such hearing is at the discretion of the Director.

Documents and other information submitted with all of the applications listed in this notice 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 at the above address.

Dated: August 22, 1997.

**Karen Anderson,**

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

[FR Doc. 97-22889 Filed 8-27-97; 8:45 am]

BILLING CODE 4310-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Emergency Exemption: Issuance

On August 15, 1997, the U.S. Fish and Wildlife Service (Service) issued a permit (PRT-833446) to Dr. David Owens, Texas A&M University, College Station, TX to import blood samples from Kemp's ridley sea turtles (*Lepidochelys kempi*) currently maintained at the Cayman Turtle Farm, Grand Cayman, Cayman Islands. The 30-day public comment period required by section 10(c) of the Endangered Species Act was waived. The Service determined that an emergency affecting the health and life of the sea turtles existed and that no reasonable alternative was available to the applicant, for the following reasons: (1) Mexico has agreed to accept Kemp's ridley sea turtles from the Cayman Turtle Farm which can no longer maintain this endangered species; (2) all of the sea turtles must be tested for disease before transport to Mexico; (3) testing of up to 200 samples is expected to take at least several weeks; (4) because of financial difficulties, the Cayman authorities have indicated that the animals must be moved to Mexico by November or they will have to be euthanized. The 30-day public comment period has therefore been waived to expedite the processing of the blood samples to ensure that only healthy turtles are transported to Mexico and to ensure that healthy animals are not euthanized in the Cayman facility due to lack of supporting funds.

Dated: August 22, 1997.

**Karen Anderson,**

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

[FR Doc. 97-22887 Filed 8-27-97; 8:45 am]

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## 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 the Basin A Project, Contra Costa County, California

**AGENCY:** Fish and Wildlife Service.

**ACTION:** Notice of receipt.

**SUMMARY:** This notice advises the public that the Contra Costa County Department of Public Works (Department) has applied to the Fish and Wildlife 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-833486. The proposed permit would authorize the incidental take of the California red-legged frog (*Rana aurora draytonii*), federally listed as threatened, and/or modification of its habitat during sediment removal activities at Basin A in Contra Costa County, California. The permit would be in effect for 20 years.

The Service announces the receipt of the Department's incidental take permit application and the availability of the proposed Basin A Habitat Conservation Plan (Plan), which accompanies the incidental take permit application, for public comment. The Plan fully describes the proposed project and the measures the Department would undertake to minimize and mitigate project impacts to the California red-legged frog. The Service has determined that the Basin A 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 DM 2, 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 specifically discussed under the "Unforeseen Circumstances" section of the Plan. 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 September 29, 1997.

**ADDRESSES:** Comments regarding the permit application or the Plan should be addressed to the Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 3310 El Camino Avenue, Suite 130, Sacramento, California 95821-6340. Please refer to permit number PRT-833486 when submitting comments. Individuals wishing copies of the application and the 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:** Ms. Tiki Baron or Mr. William Lehman,

Sacramento Fish and Wildlife Office; telephone (916) 979-2129.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Endangered Species Act and Federal regulation prohibit the "taking" of a species listed as endangered or threatened, respectively. 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

The Department proposes to remove excess sediment from a constructed wetland, known as Basin A, in Contra Costa County, California. The Department constructed Basin A as mitigation for impacts to wetland and riparian habitat caused by a highway widening project. Basin A, located south of State Route 4 and west of Bay Point near the city of Concord, is approximately 4.8 acres in size and consists of a lower wetland basin (2.5 acres), a sedimentation basin (0.45 acres), an upper riparian area (0.2 acres), and side slopes and an access road (1.6 acres). Vegetation and wildlife monitoring began in the spring of 1996 after native vegetation had been planted. On April 21, 1997, a California red-legged frog was observed in the lower wetland basin during monitoring activities. No other observations of red-legged frogs at Basin A have been made prior or subsequent to this sighting.

Excessive sediment has accumulated at Basin A as a result of heavy grazing upstream, the incised condition of the stream that flows into the basin, and heavy rain storms this past winter (1996-1997). To ensure proper functioning of the wetlands at Basin A, the Department proposes to remove excess sediment from the sedimentation basin, as necessary, on an on-going basis. The Department estimates that sediment removal from the sedimentation basin would be required, on average, in approximately 60% of the years ahead (i.e., 3 out of every 5 years, or 12 years out of the 20-year permit term). In addition, the Department proposes to remove excess sediment from the lower wetland basin this year. As a result of heavy rain storms in recent winters, sediment by-passed the sedimentation basin and has accumulated in a portion of the lower wetland basin. The need for removal of sediment from the lower wetland basin

in future years depends on the occurrence of unusually large storms. The Department estimates that such storms, and thus sediment removal from the lower wetland basin, would occur once every 5 to 10 years (i.e., a total of two to four times over the life of the permit). Sediment removal would only occur once during any given year, between the months of June and October when both the sedimentation basin and the lower wetland basin are likely to be at their driest.

Removal of sediment from the sedimentation basin and lower wetland basin may result in take of California red-legged frogs. Potential direct impacts to red-legged frogs during sediment removal activities include accidental injury or death by crushing, burying, drowning, or other means as a result of foot traffic, project-related vehicle traffic, and the operation of heavy equipment. Sediment removal would occur during the dry season, however, which decreases the likelihood that red-legged frogs would be present in the basin. Removal of sediment from either the sedimentation basin or the lower wetland basin would not have significant long-term adverse impacts to red-legged frog habitat because the basins would continue to hold water seasonally, providing habitat for frogs. To the contrary, removal of sediment from the sedimentation basin and lower wetland basin would likely enhance habitat values for red-legged frogs at Basin A over the long term.

To minimize take of California red-legged frogs, the Department proposes to conduct pre-activity surveys at Basin A prior to the start of each incident of sediment removal activities. In addition, a qualified biologist would monitor each sediment removal incident throughout the term of the permit. If California red-legged frogs are observed in or immediately adjacent to the area to be excavated, they would be captured by a qualified biologist and relocated to another portion of the basin. Sediment removal activities would be accomplished in as short a time as possible, generally within one day. The Service believes that the proposed project would result in minor or negligible effects to the California red-legged frog because the actual number of red-legged frogs taken at Basin A would likely be very low, the percentage of the Basin A red-legged frog habitat relative to the species' entire range is very small, and its relative importance to the species both regionally and rangewide is thought at this time to be minor, and the improvement and maintenance of habitat values for red-legged frogs at Basin A would likely offset the impact

of the possible loss of a small number of frogs. The proposed project would not affect any other listed species.

The Service has determined that the Basin A Plan qualifies as a "low-effect" Plan as defined by the Fish and Wildlife Service's Habitat Conservation Planning Handbook (November 1996). 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 Basin A Plan qualifies as a low-effect Plan for the following reasons:

1. Approval of the Plan would result in minor or negligible effects on the California red-legged frog and its habitat. The Service does not anticipate significant direct or cumulative effects to the California red-legged frog resulting from the removal of excess sediment, during the dry season, from a constructed wetland basin.

2. The Basin A site, a constructed wetland, has already been significantly modified from its natural state; therefore, removal of excess sediment from the basin would not have adverse effects on unique geographic, historic or cultural sites, or involve unique or unknown environmental risks.

3. Approval of the Plan would not result in any cumulative or growth inducing impacts and, therefore, would 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 would 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 Basin A Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of the Interior Manual (516 DM 2, 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, the 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 California red-legged frog. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: August 22, 1997.

**Don Weathers,**

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97-22896 Filed 8-27-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Intent to Prepare an Environmental Impact Statement for Issuance of an Incidental Take Permit to the Louisiana-Pacific Corporation

**AGENCY:** Fish and Wildlife Service, Interior and National Marine Fisheries Service, NOAA, Commerce.

**ACTION:** Notice of Intent.

**SUMMARY:** The Fish and Wildlife Service and the National Marine Fisheries Service (collectively "the Services") intend to prepare an Environmental Impact Statement addressing approval and implementation of a Habitat Conservation Plan (Plan) submitted by the Louisiana-Pacific Corporation as part of an application for an incidental take permit, pursuant to section 10(a) of the Endangered Species Act of 1973, as amended. The Plan will cover forest management activities on Louisiana-Pacific's lands within Mendocino, Sonoma, and Humboldt counties in northern California. Louisiana-Pacific intends to request an incidental take permit for the northern spotted owl (*Strix occidentalis caurina*), coho salmon (*Oncorhynchus kisutch*), American peregrine falcon (*Falco peregrinus anatum*), and marbled murrelet (*Brachyramphus marmoratus marmoratus*). It is anticipated the applicant may also seek coverage for approximately 50-60 unlisted species of concern (anadromous and resident fish, wildlife, and plants) under specific provisions of the permit, should these species be listed in the future.

#### Public Involvement

This notice is being furnished pursuant to the Council on Environmental Quality Regulations for implementing the Procedural Provisions of the National Environmental Policy Act Regulations (40 CFR sections 1501.7 and 1508.22) to obtain suggestions and

information from other agencies and the public on the scope of issues and alternatives to be considered in preparation of the Environmental Impact Statement.

**DATES:** Comments must be received on or before September 30, 1997. Public scoping meetings, at which oral and written comments can be submitted, are scheduled for Tuesday, September 9, 1997, 2:30-4:30 p.m. & 6:30-9:30 p.m., at Ukiah Valley Conference Center, 200 South School Street, Ukiah, California 95482, and on Thursday, September 11, 1997, 6:30-9:30 p.m., at Samoa Fire Hall, Samoa, California 95564.

**ADDRESSES:** Comments regarding the scope of the Environmental Impact Statement should be addressed to Mr. Bruce Halstead, Project Leader, Coastal California Fish and Wildlife Office, Fish and Wildlife Service, 1125 16th Street, Room 209, Arcata, California 95521-5582. Written comments may also be sent by facsimile to (707) 822-8411. Comments received will be available for public inspection, by appointment, during normal business hours (Monday through Friday; 8:00 a.m. to 5:00 p.m.) at the above address. 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:** Ms. Amedee Brickey, at the above address.

**SUPPLEMENTARY INFORMATION:** Louisiana-Pacific Corporation, a forest products company, owns and manages approximately 305,000 acres of commercial forest lands in northern California that will be considered for inclusion in a Plan. Approximately 230,000 acres of the land is located in coastal Mendocino and Sonoma counties, and approximately 75,000 acres in coastal Humboldt County. The Plan will evaluate various forest management alternatives for the planning area, including an alternative similar to Louisiana-Pacific's Sustained Yield Plan for Coastal Mendocino County. This Sustained Yield Plan is currently under review by the California Department of Forestry and Fire Protection.

Louisiana-Pacific's multi-species planning approach is anticipated to include the northern spotted owl, coho salmon, marbled murrelet, American peregrine falcon, and other threatened/endangered species. In addition, about 50-60 unlisted species of concern (anadromous and resident fish, wildlife, and plants) are being considered for inclusion in the Plan.

Once completed, it is expected that Louisiana-Pacific Corporation will

submit the Plan as part of the incidental take permit application process, as required under the provisions of section 10(a)(2)(A) of the Endangered Species Act. The Services will evaluate the incidental take permit application and associated Plan in accordance with section 10(a) of the Endangered Species Act and its implementing regulations. The environmental review of the permit application and the Plan will be conducted in accordance with the requirements of the National Environmental Policy Act and its implementing regulations. A No Action alternative will be considered consistent with the requirements of the National Environmental Policy Act.

Several streams in watersheds in which the Louisiana-Pacific Corporation owns land are listed as water quality limited under Section 303(d) of the Clean Water Act. If feasible, the Environmental Protection Agency will work with the Louisiana-Pacific Corporation, other Federal agencies, the State of California, and the public to address water quality issues associated with these waterbodies at the same time the Plan is developed. It is expected that a water quality planning and management framework will be developed to establish total maximum daily loads for streams listed under section 303(d) of the Clean Water Act.

Dated: August 21, 1997.

**Don Weathers,**

Acting Regional Director, Region 1, Portland, Oregon.

[FR Doc. 97-22898 Filed 8-27-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Issuance of Permits for Marine Mammals

On June 26, 1997, a notice was published in the **Federal Register**, Vol. 62, No. 123, Page 34482, that an application had been filed with the Fish and Wildlife Service by Donald Williams for a permit (PRT-830806) to import a personal sport-hunted polar bear from the Northwest Territories, Canada.

Notice is hereby given that on August 8, 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 an