

the proposed appointment of Elizabeth Lohah Homer as an associate member of the Commission for a term of three years.

Ms. Homer appears well-qualified to serve as an associate member of the Commission. She has served as the Director, Office of American Indian Trust, United States Department of the Interior, since December, 1994. In that capacity she has provided executive direction and management over the development, coordination, and implementation of Indian trust policies. Ms. Homer served as a Special Attorney in the Criminal Division, United States Department of Justice from August, 1992 to December, 1994. Between October, 1989 and August, 1992 Ms. Homer was an Assistant District Attorney, Violent Crimes Division, Office of the District Attorney for the Second Judicial District of New Mexico. Ms. Homer was the Deputy Director of Americans for Indian Opportunity from January, 1982 to April, 1986. From August, 1980 to December, 1981, Ms. Homer served as a Policy Analyst for the Council of Energy Resource Tribes. She was a Tribal Programs Analyst for the Osage Tribe of Oklahoma from July, 1979 to July, 1980.

Ms. Homer is a member of the Osage Tribe of Oklahoma. She received a Bachelor of Arts Degree in Political Science from the University of Colorado in 1979. Ms. Homer also holds a Juris Doctor from the University of New Mexico School of Law, awarded in 1989. Among Ms. Homer's professional associations are membership in the State Bar of New Mexico, the Federal Bar for the District of New Mexico and the American Indian Law Enforcement Association. Ms. Homer does not appear to have any financial interests that would make her ineligible to serve on the Commission under 25 U.S.C. 2704(b)(5)(B).

Any person wishing to submit comments on this proposed appointment may submit written comments to the address listed above. Comments must be received by the due date, which is 30 days from the date of the publication of this notice.

Dated: November 6, 1998.

Edward B. Cohen,
Deputy Solicitor.

[FR Doc. 98-30376 Filed 11-12-98; 8:45 am]

BILLING CODE 4310-02-M

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.*):

Applicant: Colorado's Ocean Journey, Denver, CO, PRT-004334

The applicant request a permit to import Asian bony tongue (*Sceleropages formosus*) fish from Dragon Fish Industry, LCK Agrotechnology Park, Singapore and Totoaba (*Cynoscion macdonaldi*) fish from Facultad de Ciencias Marinas, Ensenada Baja California, Mexico for the purpose of enhancement of the survival of the species through conservation education.

Applicant: Kansas City Zoological Gardens, Kansas City, MO, PRT-004333

The applicant request permits to import two captive born Western Lowland Gorilla (*Gorilla gorilla gorilla*) from Calgary Zoo, Alberta, Canada, for the purpose of enhancement of the survival of the species.

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 700, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

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 to the above address within 30 days of the date of publication of this notice.

Dated: November 6, 1998.

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

[FR Doc. 98-30307 Filed 11-12-98; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability of a Draft Revised Recovery Plan for Todsen's Pennyroyal (*Hedeoma todsenii*) for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability and public comment period.

SUMMARY: The U.S. Fish and Wildlife Service announces the availability for public review of the draft revised recovery plan for Todsen's pennyroyal (*Hedeoma todsenii*), a plant from the San Andres and Sacramento mountains in south-central New Mexico. This species is known from 18 sites in pinyon-juniper woodland in Otero and Sierra counties, New Mexico. The Service solicits review and comment from the public on this draft revised recovery plan.

DATES: Comments on the draft revised recovery plan must be received on or before January 12, 1999 to ensure they receive consideration by the Service.

ADDRESSES: Persons wishing to receive the draft revised recovery plan may obtain a copy by contacting the Field Supervisor, New Mexico Ecological Services Field Office, 2105 Osuna, NE, Albuquerque, New Mexico 87113 (Telephone 505/346-2525). Written comments and materials regarding the plan should be addressed to the Field Supervisor at the above address. Comments and materials received are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Charles B. McDonald, Botanist, at the address and telephone number (Ext. 112) given above.

SUPPLEMENTARY INFORMATION:

Background

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of the U.S. Fish and Wildlife Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, criteria for recognizing the recovery levels for downlisting or delisting them, and initial estimates of times and costs to implement the needed recovery measures.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act as amended in 1988 requires that public notice and an opportunity for public review and comment be provided during recovery

plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

Todsen's pennyroyal was listed under the Act as an endangered species on January 18, 1981 (46 FR 5729). When listed, it was known from only two sites in the San Andres Mountains on the White Sands Missile Range in Sierra County, New Mexico. A recovery plan for Todsen's pennyroyal was approved in 1985. Subsequent to development of the original recovery plan, 15 new sites for the plant were found on the western slope of the Sacramento Mountains in Otero County, New Mexico. The new sites are on the Lincoln National Forest and on public lands administered by the Bureau of Land Management. The discovery of the new sites plus additional new information about the biology and ecology of the species have necessitated revision of the original recovery plan.

Recovery will focus on the continuing protection efforts of the three Federal agencies responsible for land management of existing sites. Additional recovery efforts will focus on research to determine the biological and ecological requirements of the species with the goal of developing management practices that will ensure the maintenance of self-sustaining populations in natural habitat.

The availability of a draft Todsen's Pennyroyal Revised Recovery Plan for review and comment was announced in the **Federal Register** on October 14, 1994 (59 FR 52189). The revised plan, however, was never completed and further changes to the plan have been made since then. This notice gives the public another opportunity for review and comment before the draft revised plan is approved.

Public Comments Solicited

The Service solicits written comments on the draft Todsen's Pennyroyal Revised Recovery Plan. All comments received by the date specified above will be considered prior to approval of the plan.

Authority

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: November 2, 1998.

Renne Lohofener,

*Acting Regional Director, Southwest Region,
Fish and Wildlife Service.*

[FR Doc. 98-30337 Filed 11-12-98; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability

AGENCY: Fish and Wildlife Service, Interior.

Receipt of an application for an incidental take permit and availability of the Misstex Habitat Conservation Plan for take of one red-cockaded woodpecker group on 80 acres of private land in Montgomery County, Texas.

SUMMARY: A private landowner, Mr. Charles H. Lewis III of Misstex Properties, L.C., has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973 (Act), as amended. The applicant has been assigned permit number TE-003596-0. The proposed permit would authorize the applicant to take one red-cockaded woodpecker (RCW) group incidental to timber harvest operations and proposed development of 80 acres of timberland on a 753-acre tract of land located in Montgomery County, Texas.

This notice advises the public that the Service has opened the comment period on the permit application. The permit application includes the Misstex RCW Habitat Conservation Plan (HCP).

Based upon guidance in the Service's November 1996, Habitat Conservation Planning Handbook, the Misstex RCW HCP qualifies as a "Low Effect" HCP. Therefore, this action is a categorical exclusion as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1 and no further National Environmental Policy Act (NEPA) documentation will be made. This notice is provided pursuant to section 10c of the Act and NEPA regulations (40 CFR 1506.6).

The Service will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that the requirements are met, a permit will be issued for the incidental take of the RCW based upon the Misstex RCW HCP. The final determinations will not be completed until after the end of the 30-day comment period and will fully consider all comments received during the comment period.

DATES: Comments on the Misstex RCW HCP, should be received in writing on or before December 14, 1998.

ADDRESSES: Persons wishing to review the application and HCP may obtain a copy by contacting Mr. Jeffrey A. Reid, Fish and Wildlife Biologist, U.S. Fish and Wildlife Service, 701 N. First Street, Lufkin, Texas 75901. Written comments should also be sent to Jeffrey A. Reid at the same address; please refer to permit No. TE-003596-0 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Jeffrey A. Reid (Fish and Wildlife Biologist) at the above address or telephone (409/639-8546). Documents will also be available for public inspection, by appointment, during normal business hours at the above address and at 711 Stadium Drive, Suite 252, Arlington, Texas 76011. An appointment may be scheduled at the Arlington Office by calling (817/277-1100).

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the RCW. 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. The applicant owns approximately 2,000 contiguous acres in Montgomery County, Texas, that includes this 753-acre tract. The balance of the timber on the 2,000 acres was harvested except for an 80-acre RCW area that is part of the 753-acre tract. This 80 acres was retained for the RCWs to provide two clusters and associated foraging habitat. Approximately 5 to 6 seedtrees per acre were retained on the remaining 1,920 acres.

The applicant has determined that retaining the timber that supports the RCW group is not an acceptable alternative and that harvesting the entire tract, including the two RCW clusters, is the preferred alternative. Consequently, the incidental taking of the RCW group is unavoidable, and the adverse impacts of the proposed timber harvesting activities cannot be minimized.

Two RCW clusters comprised of three natural cavity trees are located on the 80 acres. Two of these cavity trees are considered to be unusable, because they contain enlarged cavities. A fall 1997, afternoon roost check revealed that two RCWs were utilizing the 80 acres. One RCW roosted in the only usable cavity tree, and the other roosted in the open. To provide additional roosting/nesting cavities, the landowner had four