

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the Kaiser Sand and Gravel Company Felton Sand Plant, Santa Cruz County, California**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability

SUMMARY: Kaiser Sand and Gravel Company of Pleasanton, California, has applied to the Fish and Wildlife Service for an incidental take permit pursuant to the Endangered Species Act of 1973, as amended. The Service proposes to issue an incidental take permit for the federally listed endangered Mount Hermon June beetle (*Polyphylla barbata*) and Zayante band-winged grasshopper (*Trimerotropis infantilis*) at Kaiser's Felton Sand Plant located near Felton in Santa Cruz County, California. This notice announces the availability of the permit application and the Environmental Assessment. The permit application includes the Habitat Conservation Plan for the Felton Sand Plant and an Implementing Agreement. All comments received, including names and addresses, will become part of the administrative record and may be made available to the public.

DATES: Written comments should be received on or before January 7, 1999.

ADDRESSES: Comments should be addressed to Diane K. Noda, Field Supervisor, Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, California 93003. Written comments may also be sent by facsimile to (805) 644-3958.

FOR FURTHER INFORMATION CONTACT: David Pereksta, Fish and Wildlife Biologist, at the above address; telephone (805) 644-1766.

SUPPLEMENTARY INFORMATION:**Availability of Documents**

Individuals wishing copies of the documents should immediately contact the Service's Ventura Fish and Wildlife Office at the above referenced address or telephone. Documents will also be available for public inspection, by appointment, during normal business hours at the above address.

Background Information

The Felton Plant has been operating as a sand quarry since 1954, pursuant to the California Surface Mining and Reclamation Act and related authorization from the County of Santa

Cruz. The Plant encompasses approximately 232 acres within Santa Cruz County, California, immediately north and west of the City of Scotts Valley. The sand plant property is generally bounded by Wirth Lane to the south, Mt. Hermon Road to the east and north, and undeveloped County lands to the west. Approximately 63 percent (approximately 146 acres) of the site is actively mined and is comprised of bare slopes, pits, a small quarry office and associated mining equipment. A portion of the quarry (approximately 37 acres; 17 percent) is currently being reclaimed; these completed mining areas are being revegetated with native plant species indicative of northern maritime chaparral and coast range ponderosa pine forest. The undisturbed portions of the quarry (approximately 47 acres; 20 percent) support two major plant community types: northern maritime chaparral and coast range ponderosa pine forest. The properties to the west, north, and east are predominately undeveloped and forested. Single-family residential development occurs south and east of the site within the City of Scotts Valley.

Of the 47 acres within the site that are undisturbed, 14 acres are scheduled for mining as per the quarry's approved mining plan. Mining within this 14-acre area would adversely affect the Zayante band-winged grasshopper and Mount Hermon June beetle. Kaiser Sand and Gravel Company has applied to the Service for an incidental take permit for these two species and has prepared a Habitat Conservation Plan which includes measures to minimize and mitigate the impacts of this mining on these species.

Other areas of the quarry support two federally-listed plant species, the Ben Lomond wallflower (*Erysimum teretifolium*) and the Ben Lomond spineflower (*Chorizanthe pungens* var. *hartwegiana*). These two species are not known to occur within the 14-acre mining area and will not be adversely affected by mining activities or by this Habitat Conservation Plan.

Kaiser Sand and Gravel Company needs an incidental take permit from the Service because listed wildlife species are protected against "take" pursuant to section 9 of the Act. That is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). The Service, however, may issue permits to take listed animal species if 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.

The Service proposes to issue an 8-year permit to Kaiser Sand and Gravel Company for incidental take of an unquantifiable number of Mount Hermon June beetles and Zayante band-winged grasshoppers in the 14-acre mining area. The proposed action would result in the loss of habitat for, and individuals of, the Mount Hermon June beetle and Zayante band-winged grasshopper in the 14-acre mining area as the natural vegetation communities in which they are found are removed during mining operations.

Kaiser Sand and Gravel Company has developed a Habitat Conservation Plan which proposes measures to minimize and mitigate impacts to listed species. Under the Plan, the Kaiser Company will: (1) grant conservation easements in perpetuity to the County for a 16.2-acre West Perimeter Habitat Set Aside Area (an area of undisturbed ponderosa pine forest) and a 15.0-acre Revegetation Set Aside Area; (2) provide for protection and long-term management of the West Perimeter Habitat and Revegetation Set Aside Areas, including maintenance of protective perimeter fencing and signs to prevent illegal trespass; (3) avoid unnecessary disturbance of listed species in other portions of the mine; (4) continue to revegetate completed mining areas with native plant species; (5) enhance 2.4 acres of existing revegetation within the Revegetation Set Aside Area with the goal of establishing potential habitat for the listed species; (6) revegetate 2.1 acres of completed slopes and benches within the Revegetation Set Aside Area with the goal of establishing potential habitat for the listed species; (7) continue to provide funding for and implement long-term management of the designated set aside areas; and (8) revise the existing mine revegetation plan by adopting a planting mix more conducive to the Plan Species to increase the Revegetation Set Aside Area's value as potential habitat for the listed species. The Habitat Conservation Plan also defines measures to ensure that the elements of the Plan are implemented in a timely manner.

Environmental Assessment

The Environmental Assessment considers the environmental consequences of the proposed action and no action alternatives. A modified mining plan alternative was also considered to avoid take of the Mount Hermon June beetle and Zayante band-winged grasshopper, but was deemed unfeasible due to unavoidable impacts to the proposed 14-acre mining area from reclamation activities for adjacent areas that have been previously mined.

A no take alternative was not feasible due to the widespread distribution of potential habitat for the listed species in the 14-acre mining area.

Under the no action alternative, the Service would not issue an incidental take permit to the Kaiser Company, the Habitat Conservation Plan would not be implemented, and mining expansion would not occur at the Felton Sand Plant. The Plant could still operate for the next 10 years, but only within the confines of the existing mining operation areas. Reclamation of previously mined areas would occur pursuant to the California Surface Mining and Reclamation Act; however, this alternative would not include the permanent habitat protection and conservation within the facility provided through the Habitat Conservation Plan.

This notice is provided pursuant to section 10(a) of the Act and Service regulations for implementing the National Environmental Policy Act of 1969 (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 law. If the Service determines that the requirements are met, a permit will be issued for the incidental take of the listed species. A final decision on permit issuance will be made no sooner than 30 days from the date of this notice.

Dated: November 27, 1998.

Elizabeth H. Stevens,

*Acting Manager, California/Nevada
Operation Office, Region 1, Sacramento,
California.*

[FR Doc. 98-32489 Filed 12-7-98; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

North American Wetlands Conservation Council; Meeting Announcement

AGENCY: U.S. Fish and Wildlife Service, Interior.

ACTION: Notice of meeting.

SUMMARY: The North American Wetlands Conservation Council (Council) will meet December 9, 1998 to review proposals for funding submitted pursuant to the North American Wetlands Conservation Act. Upon completion of the Council's review, proposals will be submitted to the Migratory Bird Conservation Commission with recommendations for

funding. The meeting is open to the public.

DATES: December 9, 1998, Mexico-10:00 a.m.

ADDRESSES: The meeting will be held at the Hotel Finca Real, located at Victoria, Esquina Bustamante, Xalapa, Veracruz, Mexico. The North American Wetlands Conservation Council Coordinator is located at U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Suite 110, Arlington, Virginia, 22203.

FOR FURTHER INFORMATION CONTACT: David A. Smith, Coordinator, North American Wetlands Conservation Council, (703) 358-1784.

SUPPLEMENTARY INFORMATION: In accordance with the North American Wetlands Conservation Act (Pub. L. 101-223, 103 Stat. 1968, December 13, 1989, as amended), the North American Wetlands Conservation Council is a Federal-State-private body which meets to consider wetland acquisition, restoration, enhancement and management projects for recommendation to and final approval by the Migratory Bird Conservation Commission. Proposals from State, Federal, and private sponsors require a minimum of 50 percent non-Federal matching funds.

Dated: December 1, 1998.

Paul R. Schmidt,

*Acting Director, U.S. Fish and Wildlife
Service.*

[FR Doc. 98-32548 Filed 12-7-98; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-030-1220-00]

Resource Management Plan Amendment (RMPA) and Environmental Assessment (EA) for Possible Disposal of Public Land in Doña Ana County, NM

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of intent to prepare an RMPA/EA and opportunity for public participation.

SUMMARY: The Bureau of Land Management (BLM), Las Cruces Field Office, is initiating the preparation of an RMPA which will include an EA for the possible disposal by direct sale at fair market value of 320 acres of BLM-administered public land in Dona Ana County in south-central New Mexico. The land is located in T. 25 S., R. 3 E., Section 13, S½. The RMPA will allow for direct sale of the land if that is the

alternative chosen by the BLM New Mexico State Director. The public is invited to participate in the scoping process to identify issues and planning criteria to be considered in the development of the RMPA/EA. The BLM will maintain a mailing list of parties and persons interested in being kept informed about the RMPA/EA.

DATES: Comments related to this action will be accepted through January 20, 1999.

ADDRESSES: Comments should be sent to Dwayne Sykes, Team Leader, 1800 Marquess, Las Cruces, NM 88005.

FOR FURTHER INFORMATION CONTACT: Tim Sanders, Acting Assistant Field Manager, at (505) 525-4393 or Dwayne Sykes at (505) 525-4400.

SUPPLEMENTARY INFORMATION: Our Lady's Youth Center of El Paso, Texas has proposed to acquire 320 acres of BLM-administered land within the Organ/Franklin Mountains Area of Critical Environmental Concern (ACEC) in Doña Ana County, New Mexico. The land would be used as part of the Lord's Ranch which the Center operates on adjacent private land. The Ranch is a retreat and working farm for disadvantaged youth.

All land within the ACEC was identified for retention in Federal ownership in the Mimbres RMP completed in 1993. In order to consider direct sale of the land, the RMP must be amended.

The RMPA/EA will be prepared by an interdisciplinary team of BLM resource specialists including realty, recreation, cultural, minerals, and hazardous materials specialists. Additional technical support will be provided by other specialists as needed.

Dated: December 1, 1998.

Margaret Wyatt,

Field Manager, Las Cruces.

[FR Doc. 98-32488 Filed 12-7-98; 8:45 am]

BILLING CODE 4310-VC-P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Availability: Draft Comprehensive Design Plan for the White House and President's Park and Draft Environmental Impact Statement.

AGENCY: National Park Service, Interior.

ACTION: Notice of Availability of Draft Comprehensive Design Plan for the White House and President's Park and Draft Environmental Impact Statement

SUMMARY: Pursuant to section 102(2)(c) of the National Environmental Policy