

implementing recovery actions. Individual responses to comments will not be provided.

San Francisco lessingia and Raven's manzanita are restricted to the San Francisco peninsula in San Francisco County, California. San Francisco lessingia, an annual herb in the aster family, is restricted to coastal sand deposits. Raven's manzanita is a rare evergreen creeping shrub in the heath family which was historically restricted to few scattered serpentine outcrops. Habitat loss, adverse alteration of ecological processes, and invasion of non-native plant species threaten San Francisco lessingia. Raven's manzanita has also been threatened by habitat loss; at present it is threatened primarily by invasion of non-native vegetation and secondarily by disease organisms and poor reproductive success. The draft plan also makes reference to several other federally listed species which are ecologically associated with San Francisco lessingia and Raven's manzanita, but which are treated comprehensively in other recovery plans. These species are beach layia (*Layia carnosa*), Presidio clarkia (*Clarkia franciscana*), Marin dwarf-flax (*Hesperolinon congestum*), Myrtle's silverspot butterfly (*Speyeria zerene myrtleae*), and bay checkerspot butterfly (*Euphydryas editha bayensis*). In addition, 16 plant species of concern and 17 plant species of local or regional conservation significance are considered in this recovery plan.

The draft recovery plan stresses re-establishing dynamic, persistent populations of San Francisco lessingia and Raven's manzanita within plant communities which have been restored to be as "self-sustaining" as possible within urban wildland reserves. Specific recovery actions for San Francisco lessingia focus on the restoration and management of large, dynamic mosaics of coastal dune areas supporting shifting populations within the species' narrow historic range. Recovery of Raven's manzanita will include, but will not be limited to, the strategy of the 1984 Raven's Manzanita Recovery Plan, which emphasized the stabilization of the single remaining genetic individual. The draft plan also seeks to re-establish multiple sexually reproducing populations of Raven's manzanita in association with its historically associated species of local serpentine outcrops. The objectives of this recovery plan are to delist San Francisco lessingia and to downlist Raven's manzanita through implementation of a variety of recovery measures including: (1) Protection and restoration of a series of ecological

reserves (often with mixed recreational and conservation park land uses); (2) promotion of population increases of San Francisco lessingia and Raven's manzanita within these sites, or reintroduction of them to restored sites; (3) management of protected sites, especially the extensive eradication or suppression of invasive dominant non-native vegetation; (4) research; and (5) public participation, outreach, and education.

Public Comments Solicited

The Service solicits written comments on the recovery plan described. All comments received by the date specified above will be considered prior to approval of this plan.

Authority

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

Dated: November 20, 2001.

Steve Thompson,

Acting California/Nevada Operations Manager, U.S. Fish and Wildlife Service, Sacramento, California.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability; Draft Environmental Impact Statement on Double-Crested Cormorant Management

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability for public comment.

SUMMARY: The U.S. Fish and Wildlife Service has prepared a Draft Environmental Impact Statement, which is available for public review. The DEIS analyzes the potential environmental impacts of several management alternatives for addressing problems associated with increasing double-crested cormorant populations. The analysis provided in the DEIS is intended to accomplish the following: inform the public of the proposed action and alternatives; address public comment received during the scoping period; and disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives. The Service invites the public to comment on the DEIS.

DATES: Written comments on the DEIS must be received by January 15, 2002.

ADDRESSES: Requests for copies of the DEIS should be mailed to Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 634, Arlington, Virginia 22203. Copies of the DEIS can also be downloaded from the Division of Migratory Bird Management Web site at: <http://migratorybirds.fws.gov/issues/cormorant/cormorant.html>.

FOR FURTHER INFORMATION CONTACT: Jon Andrew, Chief, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, MS634, Arlington, VA 22203; phone: 703/358-1714; fax: 703/358-2272.

SUPPLEMENTARY INFORMATION: On November 8, 1999, a notice was published in the **Federal Register** (64 FR 60826) announcing that the Service intended to prepare an Environmental Impact Statement "to [address] impacts caused by population and range expansion of the double-crested cormorant in the contiguous United States." This announcement commenced a public scoping period that ended on June 20, 2000. Over 1,400 public comments were received and were considered in the development of the DEIS, which is now being made available for public review. This notice is provided pursuant to Fish and Wildlife Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6).

The DEIS evaluates six management alternatives to address biological and socioeconomic resource conflicts associated with cormorants: (1) No Action or a continuation of current cormorant management practices (Alternative A); (2) implement only non-lethal management techniques (Alternative B); (3) expand current cormorant damage management policies (Alternative C); (4) establish a new Depredation Order to address public resource conflicts (Alternative D) (PROPOSED ACTION); (5) reduce regional cormorant populations (Alternative E); and (6) establish frameworks for a cormorant hunting season (Alternative F). Our proposed action (Alternative D) modifies the existing Aquaculture Depredation Order and establishes a new Public Resource Depredation Order to allow public resource managers greater flexibility in dealing with cormorant conflicts while ensuring Federal oversight via reporting and monitoring requirements.

You may mail or deliver comments to the Division of Migratory Bird Management, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, Room 634, Arlington, Virginia 22203.

Additionally, you may submit comments on the DEIS via the internet to: cormorant_eis@fws.gov. Please include your name and return address in your e-mail message, and submit your comments as an ASCII file. Do not use special characters or encryption. If you do not receive a confirmation from the system that we received your e-mail message, you can contact us directly at 703/358-1714.

In order to be considered, submission of comments (written or electronic) must include your name and postal mailing address; we will not consider anonymous comments. All comments received, including names and addresses, will become part of the public record. The public may inspect comments during normal business hours in Room 634 "Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's National Environmental Policy Act regulations [40 CFR 1506.6(f)]. Our practice is to make comments available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. If a respondent wishes us to withhold his/her name and/or address, this must be stated prominently at the beginning of the comment.

Several public hearings will be held throughout the country during the comment period to solicit further comments from the public. The dates and locations of these hearings are yet to be determined. A notice of public meetings with the locations, dates, and times will be published in the **Federal Register**.

Kevin R. Adams,

Acting Deputy Director.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of an Environmental Assessment and an Application for an Incidental Take Permit for the Temecula Ridge Apartments and Temecula Village Development Projects in Riverside County, CA

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability and receipt of application.

SUMMARY: AGK Group, LLC and Temecula Village Development, L.P. (the Applicants) have applied to the Fish and Wildlife Service (Service) for incidental take permits pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. The Service is considering issuance of a 7-year permit to each Applicant that would authorize take of the threatened coastal California gnatcatcher (*Poliophtila californica californica*) incidental to otherwise lawful activities. Such take would occur during the construction of multi-family residential structures and associated commercial/retail space on a 44-acre infill site adjacent to Rancho California Road in the City of Temecula in southwestern Riverside County, California. We request comments from the public on the permit application, and an Environmental Assessment, both of which are available for review. The permit application includes the proposed Habitat Conservation Plan (HCP) and an accompanying Implementing Agreement (legal contract). The HCP describes the proposed action and the measures that the Applicants would undertake to minimize and mitigate take of the coastal California gnatcatcher.

DATES: We must receive your written comments on or before February 1, 2002.

ADDRESSES: Please address written comments to Mr. Jim Bartel, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. You also may send comments by facsimile to (760) 431-5902.

FOR FURTHER INFORMATION CONTACT: Ms. Karen Evans, Assistant Field Supervisor, at the above address or call (760) 431-9440.

SUPPLEMENTARY INFORMATION:

Availability of Documents

You may obtain copies of these documents for review by contacting the above office. Documents also will be available for public inspection, by appointment, during normal business hours at the above address and at the Temecula Library located at 41000 County Center Drive, Temecula, California.

Background

Section 9 of the Endangered Species Act (Act) and federal regulations prohibit the "take" of fish or wildlife species listed as endangered or threatened. Take of listed fish or

wildlife is defined under the Act to include "harass, harm, pursue, hunt, shot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The Service may, under limited circumstances, issue permits to authorize incidental take (i.e., take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22.

The Applicants are proposing development of multi-family residential structures (containing a total of 406 residential units) and associated commercial and retail space on 44 acres. The development site is an infill area within the City surrounded by a combination of multi-family and single family residential complexes.

Biologists surveyed the combined project site for biological resources in 1999 and 2000. Two years of protocol surveys for Quino checkerspot butterfly (*Euphydryas editha quino*) were conducted, but no sign of the species was detected. Two pairs of coastal California gnatcatchers were found in 2000. Given the limited amount of sage scrub habitat available for these two pairs on this infill site (14 acres), it is presumed that the two pairs are also utilizing, to some degree, portions of the remaining 30 acres, which consist of non-native grassland, ruderal vegetation, and barren areas.

Based on the survey results, the Service concluded that implementation of the two proposed projects would result in take of the two pairs of gnatcatchers found on this infill site, through the permanent removal of the vegetation on the 44 acres of this combined site: 14 acres of riversidean sage scrub, and 30 acres of non-native grassland and ruderal vegetation. Environmental effects addressed in the HCP and Environmental Assessment include the loss of both pairs of gnatcatchers given the removal of the vegetation from the site.

The Applicants propose to implement the following measures to mitigate and minimize take of coastal California gnatcatchers: (1) Avoid ground disturbing activities during the California gnatcatcher breeding season; (2) stake the construction boundaries of the project; (3) random inspections of the project site by a biological monitor; (4) purchase conservation credits for 45 acres of riversidean sage scrub occupied by two pairs of gnatcatchers from an off-site mitigation bank in the Riverside County area; and (5) purchase an additional 25 acres of riversidean sage scrub conservation credits from another