

Species Division, Ecological Services, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. 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. Documents will be available for public inspection, by appointment only, during normal business hours at the U.S. Fish and Wildlife Service, 500 Gold Ave. SW., Room 4102, Albuquerque, New Mexico. Please refer to the respective permit number for each application when submitting comments. 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:** Chief, Endangered Species Division, (505) 248-6922.

**SUPPLEMENTARY INFORMATION:**

**Permit No. TE-081873**

*Applicant:* William Clark, Harlingen, Texas.

Applicant requests a new permit for research and recovery purposes to conduct surveys, trap, and band northern aplomado falcons (*Falco femoralis septentrionalis*) within Texas.

**Permit No. TE-028986**

*Applicant:* Arizona Department of Transportation, Environmental Planning Group, Phoenix, Arizona.

Applicant requests an amendment to an existing permit to allow presence/absence surveys for the following species within Arizona: black-footed ferret (*Mustela nigripes*), Hualapai Mexican vole (*Microtus mexicanus hualpaiensis*), jaguar (*Panthera onca*), lesser long-nosed bat (*Leptonycteris curasoae yerbabuena*), Mexican gray wolf (*Canis lupus baileyi*), ocelot (*Leopardus pardalis*), Sonoran pronghorn (*Antilocapra americana sonoriensis*), California condor (*Gymnogyps californianus*), masked bobwhite (*Colinus virginianus ridgwayi*), Yuma clapper rail (*Rallus longirostris yumanensis*), Sonoran tiger salamander (*Ambystoma tigrinum stebbinsi*), bonytail chub (*Gila elegans*), desert pupfish (*Cyprinodon macularius*), humpback chub (*Gila cypha*), Virgin River chub (*Gila robusta semidnuda*), woundfin (*Plagopterus argentissimus*), Yaqui chub (*Gila purpurea*), and Kanab ambersnail (*Oxyloma haydeni kanabensis*). In addition, the applicant requests authorization to survey for and collect the following species within Arizona: *Agave arizonica* (Arizona agave),

*Amsonia kearneyana* (Kearney's blue-star), *Astragalus cremnophylax* var. *cremnophylax* (Sentry milk-vetch), *Astragalus holmgreniorum* (Holmgren milk-vetch), *Coryphantha scheeri* var. *robustispina* (Pima pineapple cactus), *Echinocactus horizonthalonius* var. *nicholii* (Nichol's Turk's head cactus), *Echinocereus triglochidiatus* var. *arizonicus* (Arizona hedgehog cactus), *Lilaeopsis schaffneriana* var. *recurva* (Huachuca water-umbel), *Pediocactus bradyi* (Brady pincushion cactus), *Pediocactus peeblesianus* var. *peeblesianus* (Peebles Navajo cactus), *Purshia subintegra* (Arizona cliff-rose), and *Spiranthes delitescens* (Canelo Hills ladies'-tresses).

**Permit No. TE-082497**

*Applicant:* Resource Stewards, L.L.C., Ardmore, Oklahoma.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys for American burying beetle (*Nicrophorus americanus*) within Oklahoma.

**Permit No. TE-082496**

*Applicant:* U.S. Army, Camp Bullis Military Training Reservation, San Antonio, Texas.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys and nest monitoring for golden-cheeked warbler (*Dendroica chrysoparia*) and black-capped vireo (*Vireo atricapillus*) within Texas.

**Permit No. TE-082495**

*Applicant:* Paul Fushille, Austin, Texas.

Applicant requests a new permit for research and recovery purposes to conduct presence/absence surveys and nest monitoring for golden-cheeked warbler (*Dendroica chrysoparia*) and black-capped vireo (*Vireo atricapillus*) within Texas.

**Permit No. TE-081884**

*Applicant:* Andrew Gluesenkamp, Austin, Texas.

Applicant requests a new permit for research and recovery purposes to survey for and collect the following species within Texas: Barton Springs salamander (*Eurycea sosorum*), Houston toad (*Bufo houstonensis*), Texas blind salamander (*Typhlomolge rathbuni*), *Batrises texanus* (Coffin Cave mold beetle), *Batrises venyivi* (Helotes mold beetle), *Cicurina baronia* (Robber Baron Cave meshweaver), *Cicurina madla* (Madla's cave meshweaver), *Cicurina venii* (Braken Bat Cave meshweaver), *Cicurina vespera* (Government Canyon Bat Cave

meshweaver), *Heterelmis comalensis* (Comal Springs riffle beetle), *Neoleptoneta microps* (Government Canyon Bat Cave spider), *Neoleptoneta myopica* (Tooth Cave spider), *Rhadine exilis* (ground beetle, no common name), *Rhadine infernalis* (ground beetle, no common name), *Rhadine persephone* (Tooth Cave ground beetle), *Stygobromus pecki* (Peck's cave amphipod), *Stygoparnus comalensis* (Comal Springs dryopid beetle), *Tartarocreagris texana* (Tooth Cave pseudoscorpion), *Texamaurops reddelli* (Kretschmarr Cave mold beetle), *Texella cokendolpheri* (Cokendolpher cave harvestman), *Texella reddelli* (Bee Creek Cave harvestman), and *Texella reyesi* (Bone Cave harvestman).

**Authority:** 16 U.S.C. 1531, *et seq.*

Dated: February 18, 2004.

**Bryan Arroyo,**

*Assistant Regional Director, Ecological Services, Region 2, Albuquerque, New Mexico.*

[FR Doc. 04-4352 Filed 2-26-04; 8:45 am]

BILLING CODE 4310-55-P

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Draft Environmental Assessment/  
Habitat Conservation Plan and Receipt  
of an Application for an Incidental Take  
Permit for the Eagle's Nest Open  
Space, Larimer County, CO**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability and receipt of application.

**SUMMARY:** This notice advises the public that Larimer County Parks and Open Lands Department (Applicant) 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 (Act) of 1973, as amended. The proposed permit would authorize the incidental take of the Preble's meadow jumping mouse (*Zapus hudsonius preblei*) (Preble's), federally listed as threatened, through loss and modification of its habitat associated with construction of a trail, river access area, spring development and bridge replacement on the North Fork Cache La Poudre River in Larimer County, Colorado. The duration of the permit would be 30 years from the date of issuance.

We announce the receipt of the Applicant's incidental take permit application, which includes a combined Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the

Preble's at Eagle's Nest Open Space. The proposed EA/HCP is available for public review and comment. It fully describes the proposed project and the measures the Applicant would undertake to minimize and mitigate project impacts to the Preble's.

The Service requests comments on the EA/HCP and associated documents for the proposed issuance of the incidental take permit. All comments on the EA and permit application will become part of the administrative record and will be available to the public. We provide this notice pursuant to section 10(a) of the Act and the National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the permit application and EA/HCP should be received on or before April 27, 2004 to be considered.

**ADDRESSES:** Comments regarding the permit application and EA/HCP should be addressed to Susan Linner, Field Supervisor, U.S. Fish and Wildlife Service, Colorado Field Office, 755 Parfet Street, Suite 361, Lakewood, Colorado 80215. Comments also may be submitted by facsimile to (303) 275-2371.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathleen Linder, Fish and Wildlife Biologist, Colorado Field Office, telephone (303) 275-2370.

**SUPPLEMENTARY INFORMATION:**

**Document Availability**

Individuals wishing copies of the EA/HCP and associated documents 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.

**Background**

Section 9 of the Act and Federal regulations prohibit the "take" of a species listed as endangered or threatened. Take is defined under the Act, in part, as to kill, harm, or harass a federally listed species. However, the Service may issue permits to authorize "incidental take" of listed species under limited circumstances. Incidental take is defined under the Act as take of a listed species that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity under limited circumstances. Regulations governing permits for threatened species are promulgated in 50 CFR 17.32.

Eagle's Nest Open Space is located south of Red Feather Lakes Road (CR 74), along the North Fork of the Cache La Poudre River, south of the Town of Livermore, Larimer County, Colorado. The project site is 107 hectares (264

acres), but the proposed project will directly impact a maximum of 1.4 hectares (3.4 acres) that may result in incidental take of the Preble's. Of the total amount of impacted acreage, 0.3 hectare (0.7 acre) will be temporarily disturbed and will be revegetated. An HCP has been developed as part of the preferred alternative. The proposed HCP will allow for the incidental take of the Preble's by permitting bridge replacement, spring development and construction of a multiple-use trail in an area that may be periodically used as foraging, breeding or hibernation habitat.

In addition to the Proposed Action, alternatives considered included—(a) develop the site more intensively with less avoidance of Preble's habitat, (b) no action, and (c) look for an alternative open space property. The draft EA analyzes the onsite, offsite, and cumulative impacts of the proposed project and all associated development and construction activities and mitigation activities on the Preble's, and also on other threatened or endangered species, vegetation, wildlife, wetlands, geology/soils, land use, water resources, air and water quality, and cultural resources. The Applicant, using the Service's definition of Preble's habitat, has determined that the proposed project would impact approximately 1.4 hectares (3.4 acres) of potential Preble's habitat. The mitigation will likely provide a net benefit to the Preble's mouse and other wildlife by planting additional shrubs and revegetating an old road with a native grass mix.

Only one federally listed species, the threatened Preble's, occurs on site and has the potential to be adversely affected by the project. To mitigate impacts that may result from incidental take, the HCP provides mitigation for the development of the proposed trail and associated facilities by protecting and enhancing 2.8 hectares (7.0 acres) of existing or potential Preble's habitat through reduced and managed grazing, planting native shrubs and grasses. Approximately 0.3 hectare (0.7 acre) of temporarily disturbed habitat will be reseeded with a native seed mix and planted with native shrubs where appropriate and approximately 107 hectares (264 acres) will be protected on perpetuity as open space by Larimer County as well as via a deed restriction. Measures will be taken during construction to minimize impact to the habitat, including monitoring, worker education/awareness of Preble's habitat and the restricted construction period during daylight hours and between mid-September and mid-May when Preble's is inactive. All of the proposed

mitigation area is within the boundaries of the Eagle's Nest Open Space property.

This notice is provided pursuant to section 10(c) of the Act. We will evaluate the permit application, the EA/HCP, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the Act. If it is determined that those requirements are met, a permit will be issued for the incidental take of the Preble's in conjunction with the development of the proposed trail, associated facilities, river access, and ongoing management of the Eagle's Nest Open Space property. The final permit decision will be made no sooner than 60 days after the date of this notice.

Dated: January 27, 2004.

**John A. Blankenship,**

*Regional Director, Denver, Colorado.*

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**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

**[CO-01-134-1610-241A]**

**Colorado Canyons National Conservation Area Advisory Council Meeting**

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of meetings.

**SUMMARY:** The Colorado Canyons National Conservation Area (CCNCA) Advisory Council will hold its first bi-monthly meeting of 2004 on April 7, 2004. The meeting will begin at 3 p.m. and will be held at the Mesa County Administration Building; 544 Rood Avenue, Grand Junction, CO. Throughout the remainder of calendar year 2004, the CCNCA Advisory Council meetings will be held the first Wednesday of every other month—June 2, August 4, October 6 and December 1—in the same location and at the same time.

**DATES:** The meeting will be held on April 7, 2004.

**ADDRESSES:** For further information or to provide written comments, please contact the Bureau of Land Management (BLM), 2815 H Road, Grand Junction, Colorado 81506; (970) 244-3000.

**SUPPLEMENTARY INFORMATION:** The CCNCA was established on October 24, 2000 when the Colorado Canyons National Conservation Area and Black Ridge Wilderness Act of 2000 (the Act) was signed by the President. The Act required that the CCNCA Advisory Council be established to provide advice