

wetland and grassland habitats; Alternative 2—historical management of refuge habitats and wildlife to replicate pre-settlement conditions; Alternative 3—the intensive management of refuge habitats and refuge program to increase outputs in certain areas; and the preferred Alternative 4—modified historical management of habitats for native birds and wild animals and to pursue a more natural historic management regime. The alternatives were assessed in the Draft CCP management plan and Environmental Assessment. Based on this assessment and comments received, the preferred Alternative 4 was selected for implementation.

The preferred alternative was selected because it best meets the purposes of the Refuge to reserve and set apart as a refuge and breeding ground for birds and wild animals. The preferred alternative will also provide for public access for wildlife-dependent recreation, and provides environmental education opportunities related to fish and wildlife resources.

Dated: October 2, 2002.

**Elliott Sutta,**

*Acting Regional Director, Denver, Colorado.*

[FR Doc. 03-4590 Filed 2-26-03; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Draft Environmental Impact Statement, Draft Environmental Impact Report, and Receipt of an Application for an Incidental Take Permit for the Western Riverside County Multiple Species Habitat Conservation Plan**

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

**ACTION:** Notice of availability; reopening of comment period.

**SUMMARY:** The Fish and Wildlife Service is reopening the comment period on the draft Multiple Species Habitat Conservation Plan, draft Implementing Agreement, and Draft Environmental Impact Statement for an incidental take permit for 146 species in western Riverside County, California.

**DATES:** To ensure consideration, we must receive written comments on or before March 14, 2003.

**ADDRESSES:** Send comments to Mr. Jim Bartel, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, CA 92008. You also may submit comments by facsimile to (760) 431-9618.

**FOR FURTHER INFORMATION CONTACT:** Ms. Karen Evans, Assistant Field Supervisor, at the Carlsbad Fish and Wildlife Office (*see ADDRESSES*); telephone (760) 431-9440.

**SUPPLEMENTARY INFORMATION:** The County of Riverside (County), Riverside County Flood Control and Water Conservation District, Riverside County Transportation Commission, Riverside County Parks and Open Space District, Riverside County Waste Department, California Department of Transportation, California Department of Parks and Recreation, and 14 western Riverside County cities (Applicants) have 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, as amended (Act). The Applicants seek a permit to authorize incidental take of 146 species, including unlisted species that may become listed during the term of the permit. An incidental take permit is required to authorize take of listed species during urban and rural development in the approximately 5,095-square-kilometer (1.26-million-acre (1,967-square-mile)) Plan Area in western Riverside County. The proposed term of the permit is 75 years.

On November 15, 2002, we published "Notice of Availability of a Draft Environmental Impact Statement/Environmental Impact Report and Receipt of an Application for an Incidental Take Permit for the Western Riverside County Multiple Species Habitat Conservation Plan" (67 FR 69236). In that notice, we requested public comment on the draft Multiple Species Habitat Conservation Plan (MSHCP) and draft Implementing Agreement. We also made available for public review a Draft Environmental Impact Statement, which is the Federal portion of the Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR), to analyze the impacts of the MSHCP. The analyses provided in the Draft EIS/EIR are intended to inform the public of our proposed action, alternatives, and associated impacts; address public comments received during the scoping period for the Draft EIS/EIR; disclose the direct, indirect, and cumulative environmental effects of the proposed action and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action.

The comment period for the November 15, 2002, notice closed on January 14, 2003. We are now reopening the comment period for 15 days on the

draft MSHCP, draft Implementing Agreement, and Draft EIS. The County of Riverside has decided not to reopen the comment period on the Draft EIR. Comments already submitted on the Draft EIS/EIR, draft Implementing Agreement, and draft MSHCP need not be resubmitted, as they will be fully considered in the final documents.

**Authority:** This notice is provided pursuant to section 10(a) of the Endangered Species Act, as amended (16 U.S.C. 1531 *et seq.*), and Service regulations (40 CFR 1506.6) for implementing the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

Dated: February 13, 2003.

**Ken McDermond,**

*Deputy Manager, California/Nevada Operations Office, Sacramento, CA.*

[FR Doc. 03-4591 Filed 2-24-03; 4:31 pm]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Receipt of a Permit Application (Tindall) for Incidental Take of the Houston Toad**

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

**ACTION:** Notice of availability.

**SUMMARY:** Lewis Tindall (Applicant) has applied for an incidental take permit (TE-0666141-0) pursuant to Section 10(a) of the Endangered Species Act (Act). The requested permit would authorize the incidental take of the endangered Houston toad (*Bufo houstonensis*). The proposed take would occur as a result of the construction and operation of a retail store on a 1.01-acre property on Highway 71, Bastrop County, Texas.

**DATES:** Written comments on the application should be received on or before April 28, 2003.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Clayton Napier, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the

Supervisor, U.S. Fish and Wildlife Service, Austin, Texas, at the above address. Please refer to permit number TE-066641-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:**

Clayton Napier at 10711 Burnet Road, Suite 200, Austin, Texas 78758.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (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 Service has prepared the Environmental Assessment/Habitat Conservation Plan for the incidental take application. A determination of jeopardy to the species and a decision pursuant to the National Environmental Policy Act (NEPA) will not be made until at least 60 days from the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and NEPA regulations (40 CFR 1506.6).

*Applicant:* Lewis Tindall plans to construct a retail store, within 5 years, on a 1.01 acre property on Highway 71, Bastrop County, Texas. This action will eliminate 1.01 acres or less of Houston toad habitat and result in indirect impacts within the lot. The Applicant proposes to compensate for this incidental take of the Houston toad by providing \$4,000.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat.

**Susan MacMullin,**

*Acting Regional Director, Region 2.*

[FR Doc. 03-4592 Filed 2-26-03; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**Draft Endangered Karst Invertebrate Survey Guidance, Draft Karst Feature Survey Guidance, Draft Preserve Design To Conserve Endangered Karst Invertebrates Guidance, and Draft Recommendations for Protection of Water Quality of the Edwards Aquifer**

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

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) provides an update on its intentions to revise and make available for public comment the following documents: (1) Draft karst feature survey guidance; (2) draft endangered karst invertebrate survey guidance; (3) draft preserve design to conserve endangered karst invertebrates guidance; and (4) draft recommendations for protection of water quality of the Edwards Aquifer. The first two documents are survey guidance for use in determining: (1) The presence of karst features that may contain potential habitat for karst invertebrates listed under the Endangered Species Act of 1973 (as amended) as endangered in central Texas; and (2) the presence/absence of endangered karst invertebrates within karst features determined to contain potential habitat. The first three documents have commonly been known as the "Karst Protocols" and the document that addressed water quality was often called "water quality criteria."

**DATES:** We will accept public comments on the approach proposed in this Notice until April 28, 2003.

**ADDRESSES:** Written comments and information should be submitted to Field Supervisor, U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 telephone (512) 490-0057; facsimile (512) 490-0974.

**FOR FURTHER INFORMATION CONTACT:** Field Supervisor, Austin Ecological Services Field Office (*see ADDRESSES*).

**SUPPLEMENTARY INFORMATION:**

**Background**

Sixteen species of invertebrates known to occur in Bexar, Travis, Williamson and parts of Burnet counties, Texas, are currently listed as endangered under the Endangered Species Act. These invertebrates are only capable of surviving in caves or karstic rock. Karst ecosystems receive moisture and nutrients from the surface community in the form of leaf litter and other organic debris that are washed in or fall into the cave, from tree and other vascular plant roots, and/or through the feces, eggs or dead bodies of animals. In addition to providing nutrients to the karst ecosystem, the plant community also filters contaminants and buffers against changes in temperature and humidity. The major threats to karst invertebrates include the loss of habitat due to urbanization; contamination; predation by and competition with non-native fire ants; and vandalism.

The Edwards Aquifer and associated springs, which includes the Southern, Barton Springs, and Northern segments, provide habitat for 9 federally listed aquatic species, including three salamanders, two fish, three aquatic invertebrates and one plant. In addition, 3 candidate species and many other unique aquatic species are also dependent upon water from the Edwards Aquifer. These species may be vulnerable to water quality degradation, particularly through pollutants entering the aquifer by storm water runoff from urban areas.

The Service has reviewed the Karst Protocols and the Water Quality Recommendations, and decided that an alternative course of action is preferred because we need to ensure that a wider partnership is involved when providing guidance to the interested public. To the extent possible, the Service will use the recovery planning process to gain the public's review and comment on guidance meant to aid in the recovery of threatened and endangered species. Through this notice, the Service announces its intentions to do the following:

(1) With respect to survey guidance for use in determining the presence of karst features that may contain potential habitat for endangered karst invertebrates in central Texas, the Service will work with the Texas Commission on Environmental Quality (TCEQ) and other partners to update as needed the existing TCEQ guidance on Karst Feature Surveys. The Service will recognize TCEQ's guidance as suitable guidance when surveying for karst features.

(2) With respect to survey guidance for endangered karst invertebrates, the Service will request a panel of experts to review all new information regarding how to survey for karst invertebrates. The Service will use the panel's recommendations to modify the section 10(a)(1)(A) permitting requirements and to develop karst invertebrate survey guidance on when to survey caves and how to survey for endangered karst invertebrates found in the caves. This guidance will be made available for review and comment through a Notice of Availability that will be published in the **Federal Register** by December 30, 2003.

(3) With respect to guidance for preserve design to conserve endangered karst invertebrates, the Service intends to incorporate the guidance as a component of the Service's Bexar County Invertebrate Recovery Plan. The draft recovery plan will be made available for review and comment. The Service no longer intends to issue