

Dated: November 21, 2003.

Lamont D. Jackson,

Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[I.D.110503G]

Final Environmental Impact Statement for an Incidental Take Permit Application and Habitat Conservation Plan (Plan), by J.L. Storedahl & Sons, Inc.(Storedahl), Clark County, WA

AGENCY: National Marine Fisheries
Service, National Oceanic and
Atmospheric Administration (NOAA),
Commerce; U.S. Fish and Wildlife
Service (USFWS), Interior.

ACTION: Notice of availability of final
environmental impact statement.

SUMMARY: This document announces the
availability of the Final Environmental
Impact Statement (Statement) for public
review. The Statement addresses the
proposed issuance of Incidental Take
Permits (Permits) to J.L. Storedahl &
Sons, Inc., Clark County, WA. The
proposed Permits relate to gravel
mining, gravel processing, and mining
reclamation activities on approximately
300 acres of Storedahl-owned lands
adjacent to the East Fork Lewis River,
Clark County, WA. The proposed
Permits would authorize the take of the
following threatened species incidental
to otherwise lawful activities: steelhead
(*Oncorhynchus mykiss*), bull trout
(*Salvelinus confluentus*), chum salmon
(*Oncorhynchus keta*), and Chinook
salmon (*Oncorhynchus tshawytscha*).
Storedahl is also seeking coverage for
five currently unlisted species
(including anadromous and resident
fish) under specific provisions of the
Permits, should these species be listed
in the future. The duration of the
proposed Permits is 25 years. This
notice is provided pursuant to the
Endangered Species Act (ESA) and
National Environmental Policy Act
(NEPA).

DATES: Written comments on the
Statement must be received from all
interested parties on or before December
29, 2003. A Record of Decision will
occur no sooner than 30 days after the

publication date of the Environmental
Protection Agency's published notice in
the **Federal Register**.

ADDRESSES: See **SUPPLEMENTARY
INFORMATION** section for addresses of
locations at which hard-copies of the
Plan and associated documents may be
obtained or reviewed. To request
documents on CD-ROM, call the
USFWS at (360) 534-9330.

Comments and requests for
information should be sent to Tim
Romanski, Storedahl FEIS/HCP
Comments, U.S. Fish and Wildlife
Service, 510 Desmond Drive, S.E., Suite
102, Lacey, Washington 98503-1263,
telephone (360) 753-5823, facsimile
(360) 753-9518. Comments and
materials received will be available for
public inspection, by appointment,
during normal business hours at the
above address.

FOR FURTHER INFORMATION CONTACT: Tim
Romanski, Project Manager, U.S. Fish
and Wildlife Service, (360) 753-5823; or
Laura Hamilton, Project Manager,
National Marine Fisheries Service, (360)
753-5820.

SUPPLEMENTARY INFORMATION: Hard
bound copies are available for viewing,
or duplication, at the following libraries:
Woodland Community Library, 770 Park
St, Woodland, WA (360) 225-2115;
Battle Ground Community Library, 12
W Main St. Battle Ground, WA (360)
687-2322; Ridgefield Community
Library, 210 N Main Ave, Ridgefield,
WA (360)887-8281; Vancouver
Community Library, 1007 E Mill Plain
Blvd, Vancouver, WA (360) 695-1566;
and, Olympia Timberland Library,
Reference Desk, 313 8th Avenue SE,
Olympia, WA (360)352-0595.

Background

J.L. Storedahl & Sons, Inc., owns and
operates a gravel processing plant in
rural Clark County, WA, adjacent the
East Fork Lewis River. This site is
known as the Daybreak Mine. It is
located approximately 4 miles (6.4
km)southeast of the town of LaCenter,
and approximately 1 mile (1.6 km)
downstream of Clark County's Daybreak
Park. The 300-acre (121.4 ha) site is
composed of two parcels. One parcel is
approximately 82 acres (33.2 ha) and
consists of five pits, which were mined
intermittently, under different owners,
from 1968 to 1995. No active extraction
of gravel from this site is now occurring.
Current operations are limited to
processing and distributing sand and
gravel that is mined off-site. Processing
involves separating the sand from the
gravel, and separating the gravel into
different size classes. The second parcel
is located immediately to the north and

east of this previously mined area, on a
low terrace above the 100-year
floodplain. This 178-acre (72.0 ha)
parcel contains high quality sand and
gravel deposits that have not been
mined. Current operations on this parcel
include cattle grazing and hay and crop
production.

Storedahl proposes to mine the sand
and gravel deposits from 101 acres (40.9
ha) of this 178-acre parcel, and
continue processing operations at the
other parcel. These operations would
continue until sand and gravel
extraction at the 178-acre parcel is
complete, projected to be 15 years or
less. Concurrent with, and following
sand and gravel extraction, Storedahl
would implement a site reclamation
plan.

The proposed mining, processing, and
reclamation activities have the potential
to affect fish and wildlife associated
with the East Fork Lewis River
ecosystem. The majority of the gravel to
be mined is located just below the water
table in a shallow aquifer, and the
proposed gravel mining and reclamation
plan would create a series of open water
ponds and emergent wetlands. The
created ponds and wetlands would
drain via a controlled outlet to a small
creek (Dean Creek) and then to the East
Fork Lewis River. The shallow aquifer is
connected to the East Fork Lewis River.
The proposed mining and reclamation
plan has the potential to affect a suite
of habitat conditions, including, but not
limited to, water quality, channel
morphology, riparian function, off-
channel connections, and the
conversion of pastureland to forest,
wetland, and open water habitats. Some
of these effects could involve species
subject to protection under the ESA.

Section 10 of the ESA contains
provisions for the issuance of Incidental
Take Permits to non-Federal land
owners for the take of endangered and
threatened species. Any such take must
be incidental to otherwise lawful
activities, and must not appreciably
reduce the likelihood of the survival
and recovery of the species in the wild.
As required under the Permit
application process, Storedahl has
developed, with assistance from the
Services, a Habitat Conservation Plan
(Plan) containing a strategy for
minimizing and mitigating take
associated with the proposed activities
to the maximum extent practicable for
their proposed activities adjacent to the
East Fork Lewis River.

Activities proposed for coverage
under the Permits include the following:
(1) Gravel mining and related
activities in the terrace above the 100-
year floodplain, with potential impacts

on groundwater quality and quantity, potential impacts on surface water quality and quantity, potential influence on channel migration, and potential access to gravel ponds by anadromous salmonids.

(2) Gravel processing.

(3) Site reclamation activities including, but not limited to, the creation of emergent and open water wetland habitat and riparian and valley-bottom forest restoration; habitat rehabilitation, riparian irrigation, and low flow augmentation to Dean Creek; and construction of facilities (such as trails and parking lots) to support future incorporation of the site into the open space and greenbelt reserve.

(4) Monitoring and maintenance of conservation measures.

The duration of the proposed Permits and Plan is 25 years, though some aspects of the conservation measures associated with the proposed Plan would continue in-perpetuity.

The Services formally initiated an environmental review of the project through publication of a Notice of Intent to prepare an Environmental Impact Statement in the **Federal Register** on December 27, 1999 (64 FR 72318). That notice also announced a 30-day public scoping period during which interested parties were invited to provide written comments expressing their issues or concerns relating to the proposal. A second **Federal Register** notice was published on November 22, 2002 (67 FR 70408), announcing a 60-day public comment period for a draft Statement, draft Plan with appendices, and a draft Implementing Agreement. The comment period was extended an additional 30 days in direct response to requests from the public. This resulted in a total comment period of 90 days. Comments received on the draft documents and responses to those comments are included in the final Statement.

The final Statement compares Storedahl's proposal against two no-action alternatives. Differences between the no-action alternatives and the proposed action are considered to be the effects that would occur if the proposed action were implemented. One alternative to Storedahl's proposal is also analyzed against the two no-action alternatives. The analysis comparing these alternatives is contained in the final Statement.

Alternatives considered in the analysis include the following:

(1) Alternative A-1: Partition the property into 20-acre (8.1 ha) parcels and sell as rural residential/agricultural tracts - No Action.

(2) Alternative A-2: Mine the property without an ITP and avoid take - No Action.

(3) Alternative B: Mine and undertake habitat enhancement and reclamation activity at the Daybreak property implementing the May 2001 Public Review Draft HCP - Preferred Alternative.

(4) Alternative C: Mine and undertake habitat enhancement and reclamation activity at the Daybreak property following design and conservation measures presented to the Services in July, 2000.

One alternative was considered during scoping but not analyzed in detail. That alternative is essentially a combination of the two no-action alternatives listed above, Alternatives A-1 and A-2. That alternative would have involved mining on the portion of the property currently zoned for mining, with subsequent partitioning and sale of the mined and unmined property for low-density rural residential development. This was dismissed from detailed analysis because the vast majority of marketable sand and gravel on the portion of the property currently zoned for mining has already been extracted, rendering the alternative not feasible.

This notice is provided pursuant to section 10(a) of the ESA, and NEPA regulations. The Services will evaluate the application, associated documents, and comments submitted thereon to determine whether the application meets the requirements of the ESA and NEPA. If it is determined that the requirements are met, Permits will be issued for the incidental take of listed species. The final permit decision will be made no sooner than 30 days from the date of this notice.

Dated: October 30, 2003.

David J. Wesley,

Deputy Regional Director, Fish and Wildlife Service, Region 1, Portland Oregon.

November 10, 2003.

Phil Williams,

Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 112403B]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene a joint public meeting via conference call of the Standing and Special Reef Fish Scientific and Statistical Committee (SSC).

DATES: The meeting will be via conference call on December 12, 2003 beginning at 10 a.m. EDT.

ADDRESSES: Listening stations will be available at the following locations:

NMFS Southeast Regional Office, 9721 Executive Center Drive, North, St. Petersburg, FL 33702; Contact: Peter Hood at 727-570-5305;

NMFS Panama City Laboratory, 3500 Delwood Beach Road, Panama City, FL; Contact: Gary Fitzhugh at 850-234-6541, extension 214.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Steven Atran, Population Dynamics Statistician, Gulf of Mexico Fishery Management Council; telephone: 813-228-2815.

SUPPLEMENTARY INFORMATION: The SSC will be convened to evaluate the socioeconomic information contained in Reef Fish Secretarial Amendment 1, red grouper rebuilding plan and deep-water grouper quotas. The SSC will be asked specifically to provide the Council with guidance on the economic impacts of trip limits vs. closed seasons.

Red grouper were declared overfished by NMFS in October 2000. Following additional analyses and a subsequent stock assessment in 2002, the Council, in May 2003, submitted Reef Fish Secretarial Amendment 1 to NMFS. This amendment contained a rebuilding plan that called for approximately a 10 percent reduction in harvest, to be achieved through a reduction in the commercial shallow-water grouper quota, replacing the February 15 to March 15 commercial closed season on gag, red and black grouper with a shallow-water grouper trip limit, and a recreational bag limit of no more than