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BILLING CODE 4210-33-C

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Endangered and Threatened Species Permit Application****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notice of receipt of application.

The following applicant has applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*).

**Permit Number TE805269-6**

Applicant: Daniel A. Soluk, Illinois Natural History Survey, Champaign, Illinois.

The applicant requests a permit amendment to take Hine's Emerald Dragonfly (*Somatochlora hineana*) in the states of Alabama, Michigan, Missouri and Ohio. The applicant is currently authorized to conduct take in Illinois and Wisconsin. Activities are proposed for the enhancement of survival of the species in the wild.

Written data or comments should be submitted to the Regional Director, U.S. Fish and Wildlife Service, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056, and must be received within 30 days of the date of this publication.

Documents and other information submitted with this application are available for review by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Ecological Services Operations, 1 Federal Drive, Fort Snelling, Minnesota 55111-4056. Telephone: (612/713-5343); FAX: (612/713-5292).

Dated: May 12, 2000.

**Charles M. Wooley,**

*Assistant Regional Director, Ecological Services, Region 3, Fort Snelling, Minnesota.*

[FR Doc. 00-12573 Filed 5-17-00; 8:45 am]

BILLING CODE 4310-55-P

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service****Availability of a Draft Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the Atlantic Coast Piping Plover in Massachusetts****AGENCY:** Fish and Wildlife Service, Interior.**ACTION:** Notice.

**SUMMARY:** The Massachusetts Division of Fisheries and Wildlife 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). The requested permit, which is for a period of three years, would authorize the incidental take of the threatened piping plover (*Charadrius melodus*) in Massachusetts. The proposed take would occur as a result of specific actions relating to the management of recreational use of beaches where breeding piping plovers are found.

The Massachusetts Division of Fisheries and Wildlife has prepared a draft environmental assessment (EA) for the incidental take application. This notice is provided pursuant to Section 10(c) of the Act and National Environmental Policy Act regulations (40 CFR 1506.6).

**DATES:** Written comments on the application and draft EA should be received on or before June 19, 2000.

**ADDRESSES:** Written comments regarding the application and requests for copies of the draft EA and the conservation plan should be addressed to Field Supervisor, New England Field Office, 22 Bridge St., Unit 1, Concord, New Hampshire 03301-4986, telephone (603) 225-1411. Please refer to permit TE813653 when submitting comments. Comments regarding the conservation plan will be forwarded to the Massachusetts Division of Fisheries and Wildlife for review and response.

**FOR FURTHER INFORMATION CONTACT:** Susanna L. von Oettingen at the above address.

**SUPPLEMENTARY INFORMATION:**

The Atlantic Coast piping plover was listed as a threatened species on January 10, 1986. Because of its listing as threatened, the piping plover is protected by the Act's prohibitions against "take". However, the Service may issue permits to carry out otherwise prohibited activities involving endangered and threatened wildlife under certain circumstances. Regulations governing permits are at 50 CFR 17.22, 17.23 and 17.32. For

threatened species, such permits are available for scientific purposes, incidental take, or special purposes consistent with the purposes of the Act.

The Massachusetts Division of Fisheries and Wildlife (Division) has applied to the Service for an incidental take permit pursuant to Section 10(a)(1)(B) of the Act. This permit would authorize the incidental take of piping plovers through otherwise lawful activities occurring on plover breeding beaches. Included in the application is a conservation plan prepared by the Division detailing the activities that would result in incidental take and describing measures that mitigate, minimize and monitor the amount of take. In 1996, the Division was granted a Section 10(a)(1)(B) permit for the incidental take of piping plovers. The permit expired in 1998. The conservation plan included in the current application under review is an updated document and will replace the earlier conservation plan.

The revised recovery plan for the Atlantic Coast piping plover (U.S. Fish and Wildlife Service, 1996. Piping Plover (*Charadrius melodus*), Atlantic Coast Population, Revised Recovery Plan. Hadley, MA. 258 pp) identified New England (which includes Massachusetts) as a recovery unit. Guidelines in the recovery plan state that permits for incidental take that will reduce the productivity of breeding piping plovers should only be allowed in recovery units where the subpopulation has achieved at least 70% of its portion of the recovery goal. The 1999 preliminary estimate of 634 pairs of piping plovers in the New England recovery unit indicate that the population has exceeded the recovery goal of 627 pairs specified in the recovery plan. Furthermore, under an intensive management program, the Massachusetts piping plover population has increased more than four-fold over the last ten years, from 140 pairs in 1990 to 505 pairs in 1999.

The purpose of the proposed incidental take permit is to provide increased flexibility in managing Massachusetts beaches for use by recreationists and homeowners, while assuring continued progress toward the recovery of the Massachusetts and Atlantic Coast populations of the piping plover. The additional flexibility in managing beaches will prevent a disproportionate expenditure of resources directed at the protection of a few nests or broods in areas where they may significantly disrupt beach access by large numbers of people and be highly vulnerable to disturbance and/or mortality. Management flexibility also