

Parklawn Building, Room 9A-27, 5600 Fishers Lane, Rockville, Maryland 20857, telephone (301) 443-1468, e-mail [bbrookmyer@hrsa.gov](mailto:bbrookmyer@hrsa.gov). The web address for the Advisory Committee is [http://158.72.83.3/bhpr/dm/new\\_advisory\\_committee\\_on\\_primar.htm](http://158.72.83.3/bhpr/dm/new_advisory_committee_on_primar.htm).

Dated: March 9, 2000.

**Jane M. Harrison,**

*Director, Division of Policy Review and Coordination.*

[FR Doc. 00-6286 Filed 3-14-00; 8:45 am]

BILLING CODE 4160-15-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of an Application for a Permit for the Incidental Take of the Houston Toad (*Bufo houstonensis*) During Construction of One Single Family Residence on Each of 2 Lots in the Circle D Country Acres Subdivision and One Single Family Residence on 0.5 Acres (Lots 953 and 954) in the Tahitian Village Subdivision, Bastrop County, Texas**

**SUMMARY:** CHR Real Estate Venture/Cook Classic Homes (Applicant) has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act). The Applicant has been assigned permit number TE-023593-0. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered Houston toad (*Bufo houstonensis*). The proposed take would occur as a result of the construction and occupation of a single family residence on 0.5 acres on each of 2 lots [Lot 9, Section 8 (1.03 acres) and Lot 50, Section 5 (1.02 acres)] and one single family residence on 0.5 acres [Lots 953 and 954 (0.25 acres each) Block 10, Unit 2] in the Tahitian Village Subdivision in Bastrop County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from the date of publication of this notice. 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 should be received on or before April 14, 2000.

**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, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Tannika Englehard, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). 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 Field Supervisor, Ecological Services Field Office, Austin, Texas, at the above address. Please refer to permit number TE-023593-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Tannika Englehard at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the 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.

#### **Applicant**

CHR Real Estate Venture/Cook Classic Homes plans to construct a single family residence on 0.5 acres on each of 2 lots [Lot 9, Section 8 (1.03 acres) and Lot 50, Section 5 (1.02 acres)] in the Circle D Country Acres Subdivision and a single family residence on 0.5 acres [Lots 953 and 954 (0.25 acres each) Block 10, Unit 2] in the Tahitian Village Subdivision in Bastrop County, Texas. This action will eliminate less than 1.5 acres of habitat (0.5 acres or less per homesite) 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 (\$1,500 for each of the 2 homesites in Circle D Country Acres and \$1,000 for one homesite in Tahitian Village) to the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within

Houston toad habitat, as identified by the Service.

**Nancy M. Kaufman,**

*Regional Director, Region 2, Albuquerque, New Mexico.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### **Burns-Paiute Tribe Liquor Ordinance**

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** This Notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8, and in accordance with the Act of August 15, 1953, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983). I certify that by Resolution No. 99-12, the Burns-Paiute Liquor Ordinance, was duly adopted by the Burns-Paiute Tribe on September 25, 1999. The Ordinance regulates the control of, the possession of, and the sale of liquor on Burns-Paiute tribal trust lands, and is in conformity with the State of Oregon.

**DATES:** This Ordinance is effective as of March 15, 2000.

**FOR FURTHER INFORMATION CONTACT:** Jim D. James, Office of Tribal Services, 1849 C Street NW, MS 4631-MIB, Washington, D.C. 20240-4001; telephone (202) 208-4400.

**SUPPLEMENTARY INFORMATION:** The Burns-Paiute Tribe Liquor Ordinance, Resolution No. 99-12, is to read as follows:

#### **Burns-Paiute Tribal Liquor Ordinance**

##### *Section 1—Title*

This Ordinance shall be the Liquor Ordinance of the Burns-Paiute Indian Tribe and shall be referenced as the Tribal Liquor Ordinance.

##### *Section 2—Findings and Purpose*

1. The introduction, possession, and sale of liquor on Indian reservations has historically been recognized as a matter of special concern to Indian tribes and to the United States. The control of liquor on reservations remains exclusively subject to their legislative enactments.

2. Federal law currently prohibits the introduction of liquor into Indian Country (18 U.S.C. 1154), leaving tribes the decision regarding when and to