

Northern riffleshell (*Epioblasma torulosa rangiana*), Orange-footed pimpleback pearlymussel (*Plethobasus cooperianus*), Pink mucket pearlymussel (*Lampsilis orbiculata*), Ring pink mussel (*Obovaria retusa*), Rough pigtoe (*Pleurobema plenum*), Tubercled-blossom pearlymussel (*Epioblasma torulosa torulosa*), Purple cat's paw pearlymussel (*Epioblasma obliquata obliquata*), White cat's paw pearlymussel (*Epioblasma obliquata perobliqua*), and White wartyback pearlymussel (*Plethobasus cicatricosus*). The applicant requests the permit to collect the threatened and endangered mussel species in all areas located within the Upper Mississippi, Illinois, and Ohio River watersheds. Activities are proposed for studies to identify populations of listed mussel species, develop methods to minimize or avoid project related impacts to those populations, and to identify new populations of listed unionid species. The scientific research is aimed at 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 requests a copy of such documents from 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, peter—fasbender@fws.gov, telephone (612) 713-5343, or FAX (612) 713-5292.

Dated: January 8, 2001.

**Charlie Wooley,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of an Environmental Assessment/Habitat Conservation Plan

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 approximately 0.5 acres of the 10.02-Acre property out of the Daniel M. Wisaman survey, abstract no. A-341, Bastrop County, Texas (Vasquez).

**SUMMARY:** Arturo and Yolanda Vasquez (Applicants) have 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 Applicants have been assigned permit number TE-037190-0. 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 of one single-family residence on approximately 0.5 acres of the 10.02-acre property out of the Daniel M. Wisaman Survey, Abstract No. A-341, 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 February 16, 2001.

**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 Tannika Engelhard, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057, Ex. 242). 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-037190-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Tannika Engelhard at the above U.S. Fish and Wildlife Service, Austin 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:** Arturo and Yolanda Vasquez plan to construct a single-family residence on approximately 0.5 acres of the 10.02-acre property out of the Daniel M. Wisaman Survey, Abstract No. A-341, Bastrop County, Texas. This action will eliminate 0.5 acres or less of Houston toad habitat and result in indirect impacts within the lot. The Applicants propose to compensate for this incidental take of the Houston toad by providing \$2,000.00 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.

**Bryan Arroyo,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of an Environmental Assessment/Habitat Conservation Plan

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 approximately 0.5 acres of the 15.245-acre property on McBride Lane, Bastrop County, Texas (Wirries).

**SUMMARY:** James and Bernice Wirries (Applicants) have 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 Applicants have been assigned permit number TE-037191-0. The requested permit, which is for a period of 7 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 one single-family residence on approximately 0.5 acres of the 15.245-acre property on McBride Lane, Bastrop County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application. A