

DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Availability of Comprehensive Conservation Plan and Summary for Tewaukon National Wildlife Refuge Complex, Cayuga, ND**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to the Refuge Improvement Act of 1997, the U.S. Fish and Wildlife Service has published the Tewaukon National Wildlife Refuge Comprehensive Conservation Plan and Summary. This Plan describes how the FWS intends to manage the Tewaukon Complex for the next 10–15 years.

ADDRESSES: A copy of the Plan may be obtained by writing to U.S. Fish and Wildlife Service, Tewaukon National Wildlife Refuge, 9754 143½ Avenue SW., Cayuga ND 58013; or download from <http://www.r6.fws.gov/larp>.

FOR FURTHER INFORMATION CONTACT: Allison Banks, U.S. Fish and Wildlife Service, P.O. Box 25486 DFC, Denver, CO 80225, 303/236–8145 extension 626; fax 303/236–4792.

SUPPLEMENTARY INFORMATION: Tewaukon NWR Complex is located in southeast North Dakota. Implementation of the Plan will focus on adaptive resource management of glaciated prairie wetlands, tall and mixed-grass prairie grasslands, riparian woodlands, and opportunities for wildlife-dependent recreation. Habitat monitoring and evaluation will be emphasized as the Plan is implemented. Opportunities for compatible wildlife-dependent recreation will continue to be provided.

Dated: November 27, 2000.

Elliott Sutta,

Regional Director, Denver, Colorado.

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DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****Availability of Final Environmental Impact Statement/Environmental Impact Report for the Proposed Issuance of an Incidental Take Permit for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan in California**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of a final environmental impact statement/environmental impact report.

SUMMARY: This notice advises the public of the availability of the Final Environmental Impact Statement/Environmental Impact Report on the application to incidentally take 16 federally listed species and 26 currently unlisted species should any of them become listed under the Endangered Species Act of 1973, as amended (Act), during the life of the permit. The San Joaquin Council of Governments (Council of Governments) has applied to the Fish and Wildlife Service (Service) for a 50-year incidental take permit pursuant to section 10(a)(1)(B) of the Act. The Council of Governments has applied for itself and on behalf of the cities of Escalon, Lathrop, Lodi, Manteca, Ripon, Stockton, and Tracy; San Joaquin County; the East Bay Municipal Utility District; California Department of Transportation-District 10 within San Joaquin County; San Joaquin Area Flood Control Agency; Stockton East Water District; and the South San Joaquin Irrigation District (Applicants). This notice is provided pursuant to section 10 of the Act and National Environmental Policy Act Regulation (40 CFR 1506.6).

DATES: A Record of Decision and permit decision will occur no sooner than January 2, 2001.

ADDRESSES: Copies of the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (Plan), Implementation Agreement, and Final Environmental Impact Statement/Environmental Impact Report are available for review at the following government offices and libraries:

Government Offices—Fish and Wildlife Service, Sacramento Fish and Wildlife Office, 2800 Cottage Way, Suite W–2605, Sacramento, California 95825, (916) 414–6600 and San Joaquin Council of Governments, 6 S. El Dorado St., Suite 400, Stockton, California 95202, (209) 468–3913. The Plan, Implementation Agreement, and Final Environmental Impact Statement/Environmental Impact Report are also available at the website for the San Joaquin Council of Governments at <http://www.sjcog.org>.

Libraries—California State Library, Information and Reference Center, 914 Capital Mall, Room 301, Sacramento, California 95814, (916) 654–0261; Escalon Branch Library, 1540 Second St., Escalon, California 95320, (209) 838–2478; Tracy Branch Library, 20 E. Eaton Ave., Tracy, California 95376, (209) 831–4250; Cesar Chavez Central Library, 605 N. El Dorado St., Stockton, California 95202, (209) 937–8415; Fair Oaks Branch Library, 2370 E. Main St., Stockton, California 95205, (209) 937–

7700; Lodi Library, 201 West Locust Street, Lodi, California 95240, (209) 333–8507; Manteca Branch Library, 320 W. Center St., Manteca, California 95336, (209) 825–2380; Ripon Branch Library, 430 W. Main St., Ripon, California 95366, (209) 599–3326; Margaret Klausner Troke Branch Library, 502 W. Benjamin Holt (at Inglewood), Stockton, California 95207, (209) 937–7000; Maya Angelou Southeast Branch Library, 2324 Pock Lane, Stockton, California 95205, (209) 937–7700.

FOR FURTHER INFORMATION CONTACT: Ms. Vicki Campbell, Conservation Planning Division Chief, Sacramento Fish and Wildlife Office, Sacramento, California, at (916) 414–6600.

SUPPLEMENTARY INFORMATION:**Background**

Section 9 of the Act and Federal regulation prohibit the “take” of animal species listed as endangered or threatened. That is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 U.S.C. 1538). However, under limited circumstances, the Service, may issue permits to authorize “incidental take” of listed animal species. “Incidental take” is defined by the Act as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Regulations governing permits for threatened and endangered species, respectively, are at 50 CFR 17.22, 17.23, and 17.32.

The Applicants seek an incidental take permit for the following federally listed species: threatened Aleutian Canada goose (*Branta canadensis leucopareia*), giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana aurora draytonii*), delta smelt (*Hypomesus transpacificus*), Sacramento splittail (*Pogonichthys macrolepidotus*), vernal pool fairy shrimp (*Branchinecta lynchi*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), fleshy owl’s-clover (*Castilleja campestris* ssp. *succulenta*), and endangered San Joaquin kit fox (*Vulpes macrotis mutica*). Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), vernal pool tadpole shrimp (*Lepidurus packardii*), riparian woodrat (*Neotoma fucipes riparia*), riparian brush rabbit (*Sylvilagus bachmani riparius*), large-flowered fiddleneck (*Amsinckia grandiflora*), and Greene’s tuctoria (*Tuctoria greenei*). This take would be incidental to the