

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.

#### Applicants

Catherine Skye and Kenneth Eckart plan to construct a single family residence on approximately 0.5 acres of a 10.0-acre property out of the Sarah Cottle Survey, Abstract No. A21, off Cottle Road, 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 \$3,000.00 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,

*Assistant Regional Director, Ecological Services, 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 for Issuance of an Endangered Species Act Section 10(a)(1)(B) Permit for the Incidental Take of Golden-Cheeked Warbler (*Dendroica chrysoparia*) During the Construction and Operation of Residential Development on Portions of the Approximately 50.08-acre CT 620 Residential Property, Austin, Travis County, TX

**SUMMARY:** CT 620 Partnership, Ltd. (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-036095-0. The requested permit, which is for a period of 30 years, would authorize the incidental take of the endangered golden-cheeked warbler (*Dendroica chrysoparia*). The proposed take would occur as a result of the construction of five residences on 50.08 acres on Hughes Park Road near RR 620, Austin, Travis 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 before 60 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 by February 26, 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, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Sybil Vosler, 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) U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Field Supervisor, Ecological Field Office, Austin, Texas at the above address. Please refer to permit number TE-036095-0 when submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Sybil Vosler at the above Austin Ecological Service Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. 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

CT 620 Partnership, Ltd. plans to construct five residences on portions of 50.08 acres on Hughes Park Road near RR 620, Austin, Travis County, Texas. This action will indirectly impact the habitat of the golden-cheeked warbler. The development will eliminate approximately 16 acres of golden-cheeked warbler habitat which may result in the take of one to two golden-cheeked warbler territories. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by providing \$304,000 to the Balcones Canyonlands Preserve for the purchase and preservation of golden-cheeked warbler habitat; minimization of on site habitat destruction; education and encouragement of the homeowners in

the use of xeriscaping, clearing only between August 1 to March 1 when the warblers are not present; and prohibition of deer and bird feeders that encourage the growth of populations of species that parasitize, predate or out compete the golden-cheeked warbler or destroy its habitat. Alternatives to this action are not preferred because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would increase the impacts.

#### Bryan Arroyo

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

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### DEPARTMENT OF THE INTERIOR

#### Fish and Wildlife Service

#### Notice of Receipt of Application for Approval

The following applicant has applied for approval to conduct certain activities with birds that are protected in accordance with the Wild Bird Conservation Act of 1992. This notice is provided pursuant to Section 112(4) of the Wild Bird Conservation Act of 1992, 50 CFR 15.26(c).

**Applicant:** Mr. Jeffrey M. Bridges, Fort Collins, Colorado. The applicant wishes to establish a cooperative breeding program for East African cut-throat finch (*Amadina fasciata alexanderi*) and South African cut-throat finch (*Amadina fasciata meridionalis*). The applicant wishes to be an active participant in this program along with one other individual. The Zebra Finch Society of the USA has assumed the responsibility for oversight of this program.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with this application are available for review, *subject to the requirements of the Privacy Act and Freedom of Information Act*, 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, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington,