

**FOR FURTHER INFORMATION CONTACT:** Mr. Rick G. Gooch, Regional Permit Coordinator, Atlanta, Georgia (see ADDRESSES above), telephone: 404/679-7110; or Mr. Jay Herrington at the Jacksonville, Florida, Field Office (see ADDRESSES above), telephone: 904/232-2580.

**SUPPLEMENTARY INFORMATION:** The Florida scrub-jay, *Aphelocoma coerulescens*, is geographically isolated from other subspecies of scrub jays found in Mexico and the Western United States. The Florida scrub jay is found almost exclusively in peninsular Florida and is restricted to scrub habitat. The total estimated population is between 7,000 and 11,000 individuals. Due to habitat loss and degradation throughout the State of Florida, it has been estimated that the Florida scrub jay population has been reduced by at least half in the last 100 years. Construction of the Project's infrastructure and subsequent construction of the individual homesites will likely result in death of, or injury to, *Aphelocoma coerulescens* incidental to the carrying out of these otherwise lawful activities. Habitat alteration due to the expanded placement of permanent infrastructure, homes, and other attributes of the amended project (now including both Waterside Downs-Phase I and Waterside Downs-Phase II) will reduce the availability of feeding, shelter, and nesting habitat.

The supplement to the May 1996, EA considers the environmental consequences of several alternatives for the amended project. One action proposed is issuance of the amended ITP based upon submittal of the revised HCP as proposed. The no action alternative may result in loss of habitat for *Aphelocoma coerulescens* and exposure of the Applicant under Section 9 of the Act. A third alternative is a proposed Project that is designed with a different mitigation strategy focusing on management of existing lands surrounding the project area. The proposed action alternative is issuance of the ITP as requested to be amended to minimize and mitigate the loss of an additional 4.96 acres of occupied scrub-jay habitat. This provides for restrictions of construction activity during the species' nesting season. Further, the revised HCP and ITP proposes to increase, in relative proportion compared to the original project, and purchase of additional offsite habitat for the Florida scrub jay, and the endowment fund for the offsite acquired habitat.

As stated above, the Service has made a preliminary determination that the

issuance of an amended ITP is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of NEPA. This preliminary information may be revised due to public comment received in response to this notice and is based on information contained in the EA, HCP, and appropriate amendments. An appropriate excerpt from the FONSI reflecting the Service's finding on the application is provided below:

Based on the analysis conducted by the Service, it has been determined that:

1. Issuance of an amended ITP would not have significant effects on the human environment in the project area.
2. The additional proposed take is incidental to an otherwise lawful activity.
3. The applicant has ensured that adequate additional funding will be provided to implement the measures proposed in the submitted revisions to the HCP.
4. Other than impacts to endangered and threatened species as outlined in the documentation of this decision, the indirect impacts which may result from issuance of the amended ITP are addressed by other regulations and statutes under the jurisdiction of other government entities. The validity of the Service's ITP is contingent upon the Applicant's compliance with the terms of his permit and all other laws and regulations under the control of State, local, and other Federal governmental entities.

The Service will also evaluate whether the issuance of the amended Section 10(a)(1)(B) ITP complies with Section 7 of the Act by conducting an intra-Service Section 7 consultation. The results of the biological opinions, in combination with the above findings, will be used in the final analysis to determine whether or not to issue an amended ITP.

Dated: February 26, 1998.

**H. Dale Hall,**

*Deputy Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Issuance of Permit for Marine Mammals

On September 4, 1997, a notice was published in the **Federal Register**, Vol. 62, No. 176, Page 47826, that an application had been filed with the Fish and Wildlife Service by Darryl Hastings

for a permit (PRT-834072) to import a sport-hunted polar bear (*Ursus maritimus*) trophy taken from the Davis Straight population, Northwest Territories, Canada prior to April 30, 1994.

Notice is hereby given that on February 6, 1998, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) the Fish and Wildlife Service authorized the requested permit subject to certain conditions set forth therein.

Documents and other information submitted for these applications are available for review by any party who submits a written request to the U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Rm 700, Arlington, Virginia 22203. Phone (703) 358-2104 or Fax (703) 358-2281.

Dated: February 27, 1998.

**Mary Ellen Amtower,**

*Acting Chief, Branch of Permits, Office of Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Marine Mammals; Stock Assessment Reports

**AGENCY:** U.S. Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability of draft revised marine mammal stock assessment reports for Alaska sea otter, walrus and polar bear; request for comments.

**SUMMARY:** In accordance with the Marine Mammal Protection Act (MMPA), the Fish and Wildlife Service (FWS) has developed draft revised marine mammals stock assessment reports for sea otter, polar bear and walrus in Alaska which are available for public review and comment.

**DATES:** Comments must be received by June 3, 1998.

**ADDRESSES:** Copies of the draft revised stock assessment reports are available from the (1) Office of Marine Mammals Management, U.S. Fish and Wildlife Service, 1011 East Tudor Road, Anchorage, AK 99503; or (2) Division of Fish and Wildlife Management Assistance, U.S. Fish and Wildlife Service, Room 840-ARLSQ, 4401 N. Fairfax Drive, Arlington, VA 22203. Copies of FWS's final stock assessment reports for the southern sea otter in California, the northern sea otter in