

topminnow are also known from the Santa Cruz River. Various tributary streams and springs, most notably Sonoita Creek, Cienega Creek, and Sabino Canyon, also historically supported Gila topminnows.

Habitat destruction and introduction of nonnative species have caused severe reductions of Gila topminnow populations, and are the main causes for its listing as an endangered species. Past and current threats to the Gila topminnow and its habitat include dams, water diversion, watershed deterioration, channelization, livestock overgrazing, and introduction of nonnative competitive and predatory aquatic species. The western mosquitofish has proved to be especially detrimental to Gila topminnow populations.

Since being federally listed in 1967, the Gila topminnow has been reestablished into more locations than any native fish in the Southwest. However, both naturally occurring and reestablished populations continue to decline. The recovery plan details the Gila topminnow recovery effort, acquaints the reader with the subspecies and its status, the threats it faces, and provides a revised plan for its survival and recovery in the United States.

The draft revised recovery plan has been extensively reviewed the last five years by agencies, species experts, and the Desert Fishes Recovery Team. The plan will be published as final following incorporation of comments and material received during this comment period.

**Public Comments Solicited:** The Service solicits comments on the draft revised recovery plan described. All comments received by the date specified above will be considered prior to approval of the plans.

**Authority:** The Authority for this action is Section 4(f) of the Endangered Species Act, 16 U. S. C. 1533 (f).

Dated: February 26, 1999.

**Thomas Bauer,**

*Regional Director, Fish and Wildlife Service.*  
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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of an Environmental Assessment on the Proposed Issuance of an Incidental Take Permit for Boise Cascade Timber Company, Clatsop County, Oregon

AGENCY: Fish and Wildlife Service, DOI.

**ACTION:** Notice of availability, Request for comments, and reopening of comment period.

**SUMMARY:** This notice advises the public that the Fish and Wildlife Service (Service) has prepared a draft Environmental Assessment on the proposed issuance of an incidental take permit to the Boise Cascade Corporation (Boise Cascade) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The proposed permit would authorize the incidental take, resulting from habitat modification, of the northern spotted owl (*Strix occidentalis caurina*), which is listed under the Act as a threatened species. The Service announced the receipt of Boise Cascade's incidental take permit application and the availability of the Boise Cascade Walker Creek Unit Habitat Conservation Plan (Plan) and draft Implementation Agreement, which accompany the incidental take permit application, for public comment on December 23, 1998 (63 FR 71148). Because the draft Environmental Assessment provides additional information on the effects of the proposed permit issuance, the Service will accept additional comments on the permit application, Plan, and draft Implementation Agreement during the comment period for the draft Environmental Assessment.

**DATES:** Written comments on the draft Environmental Assessment, permit application, Plan, and draft Implementation Agreement should be received on or before April 5, 1999.

**ADDRESSES:** Individuals wishing copies of the draft Environmental Assessment, permit application, full text of the Plan, or the draft Implementation Agreement should immediately contact the office and personnel listed below. These documents also will be available for public inspection, by appointment, during normal business hours at the address below. Comments regarding the draft Environmental Assessment, permit application, draft Implementation Agreement or the Plan should be addressed to State Supervisor, Fish and Wildlife Service, Oregon State Office, 2600 S.E. 98th Avenue, Suite 100, Portland, Oregon 97266. Please refer to permit number TE005227-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Mr. Rich Szlemp, Fish and Wildlife Service, Oregon State Office, telephone (503) 231-6179.

**SUPPLEMENTARY INFORMATION:** Boise Cascade is proposing to harvest approximately 50 acres of mature and old growth forest from a 65-acre parcel

of land. The surrounding ownership consists of Oregon Department of Forestry land and lands owned by the Agency Creek Management Company. The Boise Cascade property contains two nest trees that were occupied by a pair of northern spotted owls between 1990 and 1996. Other listed species may also be affected by the proposed Plan. Coho salmon (*Oncorhynchus kisutch*) are found in Walker Creek in the Plan area. No surveys have been conducted for marbled murrelets (*Brachyramphus marmoratus*) or bald eagles (*Haliaeetus leucocephalus*), but the Plan area does contain potentially suitable nesting platforms for marbled murrelets and contains suitable bald eagle habitat. The Plan area contains some of the best northern spotted owl nesting habitat in the northern portion of the Oregon Coast Range. Most of the surrounding land has been logged or contains younger stands of timber that do not provide as high quality of owl nesting habitat as the Plan area.

#### Alternatives Analyzed in the Draft Environmental Assessment

##### Alternative 1. No Action

Under this alternative the Service would not issue a permit or the applicant would decide to not harvest the unit. For this analysis, it is assumed that this alternative would maintain the existing old growth forest within the unit.

##### Alternative 2. The Incidental Take Permit Application and Plan Submitted by Boise Cascade

This alternative would provide for the maximum timber harvest allowable under the Oregon Forest Practices Act. Boise Cascade would harvest about 50 acres of a 70-acre spotted owl core area originally designated by the Oregon Department of Forestry. Boise Cascade removed 6 acres of forest associated with the construction of a logging road in 1989. The remaining 14 acres of the core is on adjacent state forest lands or private lands. Logging of the unit was prohibited by the State of Oregon until 1997 because the unit was within the core area of an active spotted owl site. Due to the lack of use of this site as an activity center for spotted owls in 1997, the Oregon Department of Forestry formally considered this site abandoned. However, the 50 acres are all considered suitable spotted owl habitat and include two trees that were known to be used by spotted owls as nest trees. A pair of spotted owls were active in the vicinity of this core area between 1990 and 1996, and were known to have nested in 1990, 1992 and

1994. A juvenile spotted owl has been detected in various locations in the general vicinity of the unit over the past year.

Boise Cascade proposes to: conduct harvest activities outside of the spotted owl nesting season (March 1–September 15); use existing roads that may need to be graded or otherwise refurbished for hauling use; use a tractor to remove logs in areas of flat terrain; use a cable/skyline to yard trees on the majority of the area which contains slopes of greater than 30 percent; and, replant harvested areas with Douglas-fir, sitka spruce, western red cedar, and/or western hemlock within 12 months of harvest. As required by the Oregon Forest Practices Act, Boise Cascade would leave, on average per acre harvested, at least:

- Two snags or two green trees at least 30 feet in height and 11 inches diameter at breast height (dbh) or larger, at least 50 percent of which are conifers; and
- Two downed logs or downed trees, at least 50 percent of which are conifers, that each comprise at least 10 cubic-foot gross volume and are no less than 6 feet long. One downed conifer or suitable hardwood log of at least 20 cubic feet gross volume and no less than 6 feet long may count as 2 logs.

In addition, Boise Cascade has stated in its written operations harvesting plan (97–11514) dated October 22, 1997, and submitted to the Oregon Department of Forestry that it would log the unit in accordance with the following conditions:

- No conifer would be harvested within 100 feet of Walker Creek (using the high water mark as a boundary). No hardwood would be harvested within 50 feet of Walker Creek. All “in-unit” leave trees would be placed in, or adjacent to, the riparian management area. Conifer leave trees would be placed further than 100-feet from Walker Creek and hardwood leave trees would be placed further than 50-feet from Walker Creek. The “in-unit” leave trees would be a minimum of 75 percent conifer. All other trees would be harvested;
- Any tree that cannot be felled and kept further than 50 feet from Walker Creek would be left standing. Any portion of a felled tree inadvertently falling within 50 feet of Walker Creek would be left;
- No downed wood or snags (except those required to be cut for safety) would be cut within the Walker Creek riparian management area. No downed wood or snags would be cut within 20 feet of a small tributary that enters Walker Creek in the northeast corner of the unit; and

- The unit would be cable/cat yarded. Logging skylines may hang across the riparian management area. All yarding road changes would be made either by clearing above the riparian management area or by pulling back and restringing each road. Only safety trees would be cut in this process.

This alternative would eliminate spotted owl habitat for an unknown and indefinite period of time. This alternative would likely result in incidental take in the form of harm by impairing essential breeding, feeding, and sheltering behaviors of spotted owls.

#### *Alternative 3. Large Tree, Snag, and Downed Wood Retention Alternative*

This alternative is similar to the Boise Cascade Plan, but would include the following prescriptions:

- Two of the largest diameter green trees per acre harvested would be retained, including the two known spotted owl nest trees. Half of these trees would be a minimum of 26 inches dbh, and the remaining half would be a minimum of 34 inches dbh. Snags could be substituted for green trees, so long as the total number would not exceed more than 20 percent of the leave trees, and the snags have a trunk at least 30 feet tall. Trees retained within the designated 100-foot riparian management area under the Oregon Forest Practices Act could not be double-counted for the leave trees;
- The retained trees would be clumped and randomly distributed throughout the harvested acreage, and not all clumped within or immediately adjacent to the riparian management area. The clumps would be positioned and composed of enough trees, including sub-dominant trees if necessary, to withstand windthrow in such a manner that the target of 100 leave trees would be maintained outside of the riparian management area;
- All existing downed logs would be retained; and
- The retained trees would not be harvested for a period of 80 years.

This alternative would result in a likelihood of incidental take of spotted owls associated with harm through habitat loss, but would provide dispersal quality habitat in about 40 years.

#### *Alternative 4. Dispersal Habitat Alternative*

This alternative would allow for timber harvest in accordance with the following prescriptions:

- No more than 40 percent of the standing tree basal area would be removed, and trees that would be at

least 11 inches dbh and have an average 40 percent canopy closure immediately after harvest would be retained;

- At least one of the two known spotted owl nest trees would be retained;
- No downed logs would be removed; and
- Further logging on the unit would be deferred for 40 years.

This alternative would result in a likelihood of incidental take of spotted owls by harm through habitat loss within the area harvested, but would maintain dispersal quality habitat and provide spotted owl foraging opportunities.

#### *Alternative 5. Dispersal and Remnant Nesting Habitat Alternative*

In addition to the prescriptions identified in alternative 4, this alternative would add a 500-foot, no-cut protection zone, within the bounds of the property, centered around one of the two known owl nest trees.

This alternative would result in a likelihood of incidental take of spotted owls by harm through habitat loss within the area harvested, but would maintain dispersal and foraging quality habitat, and provide a remnant piece of nesting quality habitat.

All interested agencies, organizations, and individuals are urged to provide comments on the draft Environmental Assessment, permit application, Plan, and draft Implementation Agreement. All comments received by the closing date will be considered by the Service as it completes its National Environmental Policy Act compliance and makes its decision regarding permit issuance or denial.

Dated: February 26, 1999.

**Cynthia U. Barry,**

*Acting Regional Director, Region 1, Portland, Oregon.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR–095–09–6332–00: GP9–0095]

#### Temporary Closure of Public Lands; Lane County, Oregon

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Temporary closure of public lands in Lane County, Oregon.

**SUMMARY:** Notice is hereby given that certain public lands in Lane County, Oregon are temporarily closed to all public use, including recreation,