

parcel of land located within Garfield County, Utah.

The Service has determined that issuance of the incidental take permit meets the criteria for a categorical exclusion under the requirements of the National Environmental Policy Act, and that there is consequently no necessity for the development of an Environmental Assessment. The Applicant has prepared a Habitat Conservation Plan as part of the incidental take permit application. A determination of whether jeopardy to the species will occur and/or issuance of the incidental take permit, will not be made before 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 permit application must be received on or before October 22, 1999.

**ADDRESSES:** Persons wishing to review the permit application and/or Habitat Conservation Plan may obtain a copy by writing to the Assistant Field Supervisor, Utah Ecological Services Field Office, U.S. Fish and Wildlife Service, 145 East 1300 South Street, Suite 404, Salt Lake City, Utah 84115. Documents will be available for public inspection by written request, or by appointment only, during business hours (8:00 a.m. to 4:30 p.m.) at the above address.

Written data or comments concerning the permit application should be submitted to the Assistant Field Supervisor, Utah Ecological Services Field Office, U.S. Fish and Wildlife Service, Salt Lake City, Utah (see **ADDRESSES** above). Please refer to permit number TE-017010 in all correspondence regarding these documents.

**FOR FURTHER INFORMATION CONTACT:** David McGillivray, Assistant Field Supervisor or Ted Owens, Wildlife Biologist, at the above U.S. Fish and Wildlife Service office in Salt Lake City, Utah (see **ADDRESSES** above) (telephone: (801) 524-5001, facsimile: (801) 524-5021).

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of any threatened or endangered species, such as the threatened Utah prairie dog. However, the Service, under limited circumstances, may issue permits to take threatened or endangered wildlife species when such taking is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for threatened and endangered species are at 50 CFR 17.22.

### Applicant

The Applicant plans to install a 2,500-foot television coaxial cable within a 10-foot right-of-way across private land parallel to State Route 12 near the junction of U.S. Highway 89 and State Route 12 (Red Canyon Junction), approximately 8 miles southeast of the town of Panguitch, Garfield County, Utah. The cable installation will provide television cable services to the local residents, motels, and recreational vehicle campgrounds located in the area. The installation will impact approximately 0.133 acre of occupied Utah prairie dog habitat, and the Applicant foresees an incidental take of a maximum of four (4) Utah prairie dogs as a result of direct mortality during installation. The Applicant proposes to minimize impacts to Utah prairie dogs through conducting a preconstruction information meeting for construction personnel and through minimization of the cable installation's footprint and the time spent working in occupied Utah prairie dog habitat. The Applicant proposes to compensate for the habitat disturbance resulting from cable installation by payment of \$900 per acre for each acre impacted, to be used for public land management actions for Utah prairie dog conservation and to implement recovery actions for conservation of the Utah prairie dog, through contribution to the Utah Prairie Dog Conservation Fund, managed by the National Fish and Wildlife Foundation.

A no-action alternative to the proposed action was considered, consisting of foregoing the installation of the 2,500 television cable in Utah prairie dog habitat. The no-action alternative was rejected for reasons including loss of use of private property, resulting in significant economic loss to the Applicant.

**Authority:** The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*)

Dated: September 9, 1999.

#### Terry Terrell,

Deputy Regional Director, Fish and Wildlife Service, Denver, Colorado.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Issuance of Permit for Marine Mammals

On May 13, 1999 a notice was published in the **Federal Register**,

Vol.64, No.92, page 25899, that an application had been filed with the Fish and Wildlife Service by Ferris State University, MI, for a permit (PRT-838026) to import one donated, taxidermied polar bear (*Ursus maritimus*) for the purpose of public display.

Notice is hereby given that on August 16, 1999, 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.

On, July 19, 1999 a notice was published in the **Federal Register**, Vol.64, No.137, page 38687, that an application had been filed with the Fish and Wildlife Service by Toledo Zoological Gardens, Toledo, OH, for a permit (014704) to import one live, captive-born female polar bear (*Ursus maritimus*) for the purpose of public display and scientific study.

Notice is hereby given that on September 10, 1999, 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.

Documents and other information submitted with the 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 above address within 30 days of the date of publication of this notice.

Dated: September 17, 1999.

#### Kristen Nelson,

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Aquatic Nuisance Species Task Force Western Regional Panel Meeting

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