

Orem, Utah 84058, Telephone: (801) 226-7187, Fax: (801) 226-7150.

Copies are also available for inspection at:

Central Utah Water Conservancy District, 355 West University Parkway, Orem, Utah 84058

Utah Reclamation Mitigation and Conservation Commission, 102 West 500 South, Suite 315, Salt Lake City, Utah 84101

Department of the Interior, Natural Resource Library, Serials Branch, 18th and C Streets, NW, Washington, D.C. 20240

Department of the Interior, Central Utah Project Completion Act Office, 302 East 1860 South, Provo, Utah 84606

Dated: March 14, 2000.

**Ronald Johnston,**

*CUP Program Director, Department of the Interior.*

[FR Doc. 00-6794 Filed 3-17-00; 8:45 am]

**BILLING CODE 4310-RK-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability

**SUMMARY:** The Peregrine Fund (J. Peter Jenny; applicant) has requested an amendment to its incidental take permit pursuant to Section 10(a) of the Endangered Species Act (Act) issued by the U.S. Fish and Wildlife Service (Service) on December 16, 1996, under permit number PRT-814839. The amendment requests that 42 additional counties, including Andrews, Brewster, Cochran, Crane, Crockett, Culberson, Dawson, Dimmit, Duval, Ector, Edwards, El Paso, Frio, Gaines, Hudspeth, Jeff Davis, Jim Hogg, Kinney, La Salle, Loving, Martin, Maverick, McMullen, Medina, Midland, Pecos, Presidio, Real, Reeves, Starr, Sutton, Terrel, Terry, Upton, Uvalde, Val Verde, Ward, Webb, Yoakum, Winkler, Zapata and Zavala Counties be added to the 15 county area in Texas where The Peregrine Fund already has a permit for incidental take in association with their aplomado falcon (*Falco femoralis septentrionalis*) reintroduction program.

**DATES:** Written comments on the amendment should be received on or before April 19, 2000.

**ADDRESSES:** Persons wishing to review the amendment may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, 500 Gold Avenue, S.W., P.O. Box 1306, Albuquerque, New Mexico 87103. In addition, the amendment will be available for public inspection by

written request, by appointment only, during normal business hours (8:00 to 4:30) at the Service's Clear Lake Ecological Services Field Office, 17629 El Camino Real, Suite 211, Houston, Texas 77058. Written comments concerning the application should be submitted to the Field Supervisor, Clear Lake Ecological Services Field Office, 17629 El Camino Real, Suite 211, Houston, Texas 77058. Please refer to the amendment to PRT-814839 when submitting comments.

#### FOR FURTHER INFORMATION CONTACT:

Edith A. Erling, Clear Lake Ecological Services Field Office, 17629 El Camino Real, Suite 211, Houston, Texas 77058; (281) 286-8282.

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

To facilitate the reintroduction of the aplomado falcon, The Peregrine Fund is currently authorized to take aplomado falcons, incidental to lawful land-use activities, on specific lands enrolled in The Peregrine Fund's "Safe Harbor" program. To date, eight landowners have enrolled a total of 1.26 million acres in The Peregrine Fund's "Safe Harbor" program. A total of 466 captive-bred aplomado falcons have been released. At least 19 pairs have become established and have successfully fledged at least 19 young. As aplomado falcon pairs become established they fiercely defend their territory and behave aggressively towards other falcons. This behavior, while normal, effectively reduces areas available for future releases. Therefore, additional habitat is needed to achieve the goal of a self-sustaining population of aplomado falcons.

**APPLICANT:** This amendment to permit PRT-814839 would authorize incidental take on an additional 48,994,295 acres, again, only on land that is enrolled in the "safe harbor" program for that purpose. To facilitate the reintroduction of the aplomado falcon, The Peregrine Fund is currently authorized to take aplomado falcons, incidental to lawful land-use activities,

on specific lands enrolled in The Peregrine Fund's "safe harbor" program.

**Geoffrey L. Haskett,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability; Recommended Guidance for Private Landowners Concerning the Cactus Ferruginous Pygmy-owl; and the Cactus Ferruginous Pygmy-owl Survey Protocol

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

**ACTION:** Notice of Availability; Private Landowner Guidance and Survey Protocol for the Cactus Ferruginous Pygmy-owl.

**SUMMARY:** The Fish and Wildlife Service (Service), announces the availability of its recommended private landowner guidance for the cactus ferruginous pygmy-owl (*Glaucidium brasilianum cactorum*) (pygmy-owl). These recommendations will assist private landowners in minimizing their risk of inadvertently "taking" (harming, harassing or killing) a pygmy-owl. In addition, the Service in cooperation with the Arizona Game and Fish Department (AGFD), announces the availability of a revised survey protocol for the pygmy-owl. This survey protocol should be used by landowners and managers in determining presence/absence of the endangered pygmy-owl.

On March 10, 1997, the Service published a final rule adding the Arizona population of the pygmy-owl to the federal list of endangered species (62 FR 10730). The principle cause for the decline in population and reduction in current known range for the once "common" and "fairly numerous" species is the loss of habitat.

In December 1997, the Service provided interim guidance describing the habitat relied upon by the pygmy-owl and suggested that landowners with such habitat have surveys conducted on their land to determine whether the habitat is occupied by an owl prior to disturbing the habitat. The intent of the Service was to furnish landowners and agencies with enough information to determine the level of stewardship their development planning should require in order to avoid harming, harassing, or killing (taking) a pygmy-owl. On August 13, 1998 the Service published two