

1306, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Tannika Englehard, 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) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Services Field Office, Austin, Texas at the above address. Please refer to permit number TE-021561-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Tannika Englehard at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. 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

Cory Ehrler plans to construct a single family residence on 5.0 acres platted as Lot 6 in the Pine Ridge Farm Subdivision, Bastrop County, Texas. This action will eliminate less than one acre of habitat. The applicant proposes to mitigate for this incidental take of the Houston toad by donating \$1,500 into the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat, as identified by the Service.

Alternatives to this action were rejected because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would not alter the level of impacts.

**Thomas L. Bauer,**  
*Regional Director, Region 2, Albuquerque, New Mexico.*

[FR Doc. 00-2464 Filed 2-3-00; 8:45 am]

**BILLING CODE 4510-55-U**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of an Application for Incidental Take Permit of the Houston Toad (*Bufo houstonensis*) During Construction of a Single Family Residence on 1.3 acres on Lot 51, Section 5 in the Circle D Country Acres Subdivision, Bastrop County, TX

**SUMMARY:** Dorathy Walters (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-021659-0. The requested permit, which is for a period of 5 years, would authorize the incidental take of the endangered Houston toad (*Bufo houstonensis*). The proposed take would occur as a result of the construction of a single family residence on Lot 51, Section 5 in the Circle D Country Acres Subdivision, Bastrop 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 until at least 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 application should be received on or before March 6, 2000.

**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 Tannika Englehard, 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) at the U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Field Supervisor, Ecological Services Field Office, Austin, Texas at the above address. Please refer to permit number TE-021659-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Tannika Englehard at the above Austin Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. 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

Dorathy Walters plans to construct a single family residence on 1.03 acres platted as Lot 51, Section 5 in the Circle D Country Acres Subdivision, Bastrop County, Texas. This action will eliminate less than one acre of habitat. The applicant proposes to mitigate for this incidental take of the Houston toad by donating \$1,500 into the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat, as identified by the Service.

Alternatives to this action were rejected because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would not alter the level of impacts.

**Thomas L. Bauer,**  
*Regional Director, Region 2, Albuquerque, New Mexico.*

[FR Doc. 00-2465 Filed 2-3-00; 8:45 am]

**BILLING CODE 4510-55-U**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### San Dieguito Lagoon Restoration Plan Draft Environmental Impact Statement/Report

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability of Draft Environmental Impact Statement/Report for the San Dieguito Lagoon Restoration Plan, San Diego County, California.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, the Fish and Wildlife Service (FWS) announces the availability of a draft environmental impact statement/report (DEIS/R) for the San Dieguito Lagoon Restoration Plan, San Diego County, California.

**DATES:** A 45-day comment period will follow the Environmental Protection Agency's notice of availability of the DEIS/R on February 4, 2000. Comments

must be received no later than Monday, March 20, 2000. A Public Hearing to receive comments on the DEIS/R will be held on Monday, February 28, 2000 at 7:00 PM in the City of Del Mar City Hall Annex, 235 11th St., Del Mar, California.

**ADDRESSES:** Public reading copies of the DEIS/R will be available for review at: Fish and Wildlife Service, 2730 Loker Ave. West, Carlsbad, California 92008 San Dieguito River Park, 18372 Sycamore Creek Rd., Escondido, California 92025 Del Mar Library, 1309 Camino del Mar, Del Mar, California Carmel Valley Library, 3919 Townsgate Drive, San Diego, California Solana Beach Branch Library, 981 Lomas Santa Fe Drive, Suite F, Solana Beach, California

**SUPPLEMENTARY INFORMATION:** This DEIS/R has been prepared and is being circulated in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). This project involves the proposal to implement a comprehensive habitat restoration plan with a public access component for an approximately 400-acre area known as the San Dieguito Lagoon. The project site is in the western San Dieguito River Valley under the influence of the Pacific Ocean, within the northwestern-most portions of the City of San Diego and the City of Del Mar in San Diego County, CA.

A major component of this planning effort is a tidal restoration proposal to 1) restore the aquatic functions of the lagoon through permanent inlet maintenance and expansion of the lagoon's tidal prism and 2) create subtidal and intertidal habitats on both the east and west sides of Interstate 5, which bisects the project site. It is anticipated that tidal restoration would be accomplished primarily by Southern California Edison and partners (SCE), provided the restoration satisfies the conditions of the California Coastal Commission (CCC) permit for the construction and operation of the San Onofre Nuclear Generating Station (SONGS) Units 2 and 3. Upland habitat restoration, non-tidal wetland restoration, endangered species habitat improvements, and public trails and interpretive facilities would be provided by the San Dieguito River Park in cooperation with other agencies and organizations including the Fish and Wildlife Service, Coastal Conservancy, Cities of Del Mar and San Diego, and others. The draft EIS/R analyzes six project alternatives including the Mixed Habitat, Maximum Tidal Basin,

Maximum Intertidal, Hybrid, Reduced Berm, and No Action Alternatives. Potentially significant environmental impacts have been identified in the areas of land use, landform alteration/visual quality, hydrology/water quality, traffic circulation, noise, air quality, geology and soils, public utilities, biological resources, and natural resources. The project includes measures to mitigate some potential impacts, while other mitigation will be made conditions of subsequent permits. **FOR FURTHER INFORMATION CONTACT:** Jack Fancher, Coastal Program Coordinator, Fish and Wildlife Service, 2730 Loker Ave. West, Carlsbad, California 92008, phone (760) 431-9440.

Dated: January 24, 2000.

**Elizabeth H. Stevens,**

*Acting Manager, California-Nevada Office, Fish and Wildlife Service.*

[FR Doc. 00-2214 Filed 2-3-00; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CA-190-98-1610-AF-24-1A]

#### Notice of Emergency Closure Policy and Procedures for Public Lands Managed by the Hollister Field Office, California

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

**ACTION:** Notice of Proposed Implementation Policy for Emergency Closures on an As Needed Basis for Public Lands Administered by the Hollister Field Office, California.

**SUMMARY:** In order to facilitate emergency operations and protect resources in the event of severe seasonal storms and/or natural disasters, the Hollister Field Officer is hereby serving notice that it will be adopting an emergency closure policy to be enacted on an as-needed basis when basic criteria are met. The closure will be invoked or lifted in public media such as Information Hot Lines, Press Releases, and on-the-ground postings. The lands covered by this emergency closure policy include all public lands administered by the Hollister Field Office. Public notices in the media and on recording information will specify which public lands will be temporarily closed, and will reflect local conditions. One of the following criteria shall be met: (1) State, County or Federal road access to the area is closed or restricted to residents and emergency personnel; (2) BLM or emergency response

personnel cannot access and/or perform their duties in a given location; (3) Roads or trails are saturated with moisture to the point where vehicle traffic causes ruts or bogs leading to increased erosion. See attached moisture criteria supplement sheet.

The above policy is intended to allow the BLM flexibility in implementing emergency closure while also utilizing the most time-effective method of notifying the public. This will also facilitate management to minimize threats to public health and safety, as well as the potential for resource damage. Any time the closure policy is enacted, the following persons will be exempt:

(1) Federal, State, or Local Law Enforcement Officers, while engaged in the execution of their official duties.

(2) BLM personnel or their representatives while engaged in the execution of their official duties.

(3) Any member of an organized rescue, fire-fighting force, Emergency Medical Services organization while in the performance and execution of an official duty.

(4) Any member of a federal, state, or local public works department while in the performance of an official duty.

(5) Any person in receipt of a written authorization of exemption obtained from the Hollister Field Office.

(6) Local landowners, persons with valid existing rights or lease operations, or representatives thereof, who have a responsibility or need to access their property or to continue their operations on public land.

**EFFECTIVE DATE:** This policy will become effective March 6, 2000, and shall remain in effect until rescinded or modified by the Authorized Officer.

**SUPPLEMENTARY INFORMATION:** These closures and restrictions are under the authority of 43 CFR 8364.1 and 43 CFR 8341.2. Persons violating this closure shall be subject to the penalties provided in 43 CFR 8360.0-7 and 8340.0-7, including a fine not to exceed \$100,000 and/or imprisonment not to exceed 12 months. Parties exempt from the closure action shall be responsible for mitigating any resource damage caused by entering the closed area. Waivers can be granted for emergency circumstances, however in the event an emergency is caused by a negligent action, the responsible party would then be responsible for the mitigation.

**FOR FURTHER INFORMATION CONTACT:** Area Manager, Hollister Field Office, 20 Hamilton Court, Hollister, CA 95024, (831) 630-5000.