

the Fish and Wildlife Coordination Act, nor does it threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.

5. Approval of the Plan would not establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

The Service therefore has made a preliminary determination that approval of the Plan qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by the Department of the Interior Manual (516 DM 2, Appendix 1 and 516 DM 6, Appendix 1). Based upon this preliminary determination, we do not intend to prepare further National Environmental Policy Act documentation. The Service will consider public comments in making its final determination on whether to prepare such additional documentation.

The Service provides this notice pursuant to section 10(c) of the Endangered Species Act. We will evaluate the permit application, the Plan, and comments submitted thereon to determine whether the application meets the requirements of section 10 (a) of the Act. If the requirements are met, the Service will issue a permit to the Westwood Tributary Point for the incidental take of the valley elderberry longhorn beetle from development of the Westwood Tributary Point Office Project area. We will make the final permit decision no sooner than 30 days from the date of this notice.

Dated: September 8, 2000.

**Elizabeth H. Stevens,**

*Deputy Manager, California/Nevada Operations Office, Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Receipt of an Application and Availability of an Environmental Assessment/Habitat Conservation Plan for Issuance of an Endangered Species Act 10(a)(1)(B) Permit for the Incidental Take of the Houston Toad (*Bufo houstonensis*) During Construction of a Recreational Vehicle Park and Camp Ground on Approximately 1.8 Acres of a 10.516-Acre Property on Park Road 1-C, Bastrop County, Texas**

**SUMMARY:** Marion Kelly Walraven (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-033185-0. 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 and occupation of an approximately 1.8-acre recreational vehicle park and campground located along Park Road 1-C, 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 60 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 November 20, 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 Engelhard, U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057). 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 Supervisor, U.S. Fish and Wildlife Service, Austin, Texas, at the above address. Please refer to permit number TE-033185-0 (Walraven) when submitting comments.  
**FOR FURTHER INFORMATION CONTACT:** Tannika Engelhard at the above U.S. Fish and Wildlife Service, Austin 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:* Marion Kelly Walraven plans to construct a recreational vehicle park and campground on approximately 1.8 acres of the 10.516-acre property

located on Park Road 1-C, Bastrop County, Texas. This action will eliminate 1.8 acres or less of Houston toad habitat and result in indirect impacts within the property. The Applicant proposes to compensate for this incidental take of the Houston toad by providing \$7,200.00 to the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat, as identified by the Service.

**Lynn B. Starnes,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **San Dieguito Lagoon Restoration Plan Final Environmental Impact Statement/Report**

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

**ACTION:** Notice of availability of final 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 final environmental impact statement/report (FEIS/R) for the San Dieguito Lagoon Restoration Plan, San Diego County, California.

**DATES:** A 30-day review period will follow the Environmental Protection Agency's notice of availability of the FEIS/R on September 15, 2000.

**ADDRESSES:** Public reading copies of the FEIS/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

**FOR FURTHER INFORMATION CONTACT:** Jack Fancher, Coastal Program Coordinator, Fish and Wildlife Service, 2730 Loker Ave. West, Carlsbad, California 92008; phone (760) 431-9440

**SUPPLEMENTARY INFORMATION:** This FEIS/R has been prepared and is being circulated in accordance with the