

Subject, city, state	Effective date	Subject, city, state	Effective date	Subject, city, state	Effective date
JACKSONVILLE, TX MABERRY, STEPHEN F FLOWER MOUND, TX	04/14/2000	WAPPINGERS FALLS, NY CROMWELL, YVETTE D LITTLETON, CO	06/20/2001	COLUMBIA, MD	
MABERRY, C LOUISE ORANGE, TX	04/12/2000	DEASY, MARC A WYNNEWOOD, PA	06/20/2001	Dated: May 4, 2000.	
MAY, JAMES GARY TAMPA, FL	02/16/2000	DELEONARDIS, MICHAEL S .. HOUSTON, TX	06/20/2001	Calvin Anderson, Jr., <i>Director, Health Care Administrative Sanctions, Office of Inspector General.</i>	
MENKE, WILLIAM J GULF BREEZE, FL	10/20/2000	DEMOSS, KATHLEEN M FLEMINGTON, NJ	06/20/2001	[FR Doc. 01-14885 Filed 6-12-01; 8:45 am]	
REVIS, TERRANCE FRANK- LIN SAPULPA, OK	03/15/1999	DENNIS-KIMBROUGH, CHRISTIE M K PITTSBURGH, PA	06/20/2001	BILLING CODE 4150-04-P	
SPENCER, RODERICK YORBA LINDA, CA	12/13/2000	DIKENGIL, MEHMET S EDGEWATER, NJ	06/20/2001	DEPARTMENT OF THE INTERIOR	
YAHOLA, ROMAN OKEMAH, OK	03/15/1999	DUBEL, DAVID A GREENVILLE, NC	06/20/2001	Fish and Wildlife Service	
OWNED/CONTROLLED BY CONVICTED EXCLUDED				Availability of a Safe Harbor Agreement and Receipt of an Application for an Enhancement of Survival Permit Associated With Proposed Habitat Restoration Activities for Schaus Swallowtail Butterfly Within Cheeca Lodge, Upper Matecumbe Key, Monroe County, Florida	
A FAMILY CARE CENTER COVINGTON, GA	06/20/2001	DURKOP, DAVID A HOUSTON, TX	06/20/2001	AGENCY: Fish and Wildlife Service, Interior.	
LA COVADONGA MEDICAL CENTER MIAMI, FL	06/20/2001	DWELLY, BRUCE E FAIR OAKS, CA	06/20/2001	ACTION: Notice.	
MICHAEL'S PHARMACY, INC BROOKLYN, NY	06/20/2001	ERICKSON, PATRICK F NORTH BRANCH, MN	06/20/2001	Cheeca Lodge (Applicant) proposes to enter into a Safe Harbor Agreement (SHA) with the U.S. Fish and Wildlife Service (Service) to restore habitat for the endangered Schaus swallowtail butterfly (<i>Papilio aristodemus ponceanus</i>) (butterfly) for a period of 10 years. The Service's Safe Harbor Policy provides that landowners may return properties enrolled under SHAs to conditions that existed prior to entering into the SHA (hereinafter referred to as baseline conditions). Returning enrolled properties to baseline conditions may result in the take of federally listed species, but such taking may be authorized under section 10(a)(1)(A) of the Endangered Species Act of 1973 (U.S.C. 1531 <i>et seq.</i>), as amended (Act), provided that the actions taken pursuant to a signed SHA result in a net conservation benefit to the species. The Applicant has committed to implement such conservation measures for the butterfly and requests issuance of an enhancement of survival permit (ESP) in order to address the take prohibitions of section 9 of the Act should the Applicant choose to return the enrolled property to baseline conditions in the future.	
PRIVATE CLINIC LABS ATLANTA, GA	06/20/2001	FIELDS, JESSICA A NEW YORK, NY	06/20/2001	The proposed conservation measures, and the possible future activities that could reduce the effectiveness of these conservation measures, will occur within a golf course owned and maintained by the Applicant in section	
SPEECH & LANGUAGE ASSOC, INC CINCINNATI, OH	06/20/2001	FLYNN, TIMOTHY G KENT, WA	06/20/2001		
DEFAULT ON HEAL LOAN					
ALVARADO, ENRIQUE CEDAR HILL, TX	06/20/2001	GILLESPIE, JON B KENNEBUNK, ME	06/20/2001		
AULD, ROBIN MCMURRAY, PA	06/20/2001	GIVARGIS, VLADMIR GLENDALE, CA	06/20/2001		
BAILEY, GRIFFIN B JR HANFORD, CA	06/20/2001	GRIFFIN, AARON L ALTA LOMA, CA	06/20/2001		
BEIL, FLOYD M BOYNTON BCH, FL	06/20/2001	GUBNITSKY, MICHAEL COCONUT CREEK, FL	06/20/2001		
BIRDSELL, ESTHER V RANCHO PALOS VERDES, CA	06/20/2001	HANE, GRACE S SANTA ANA, CA	06/20/2001		
BIRNEY-DOBOGAI, REBECCA J APPLETON, WI	06/20/2001	HENDRICK, DENEEN M MARYVILLE, TN	06/20/2001		
BLEHL, THOMAS A ORLANDO, FL	06/20/2001	HIGGWE, GOLDEN G DETROIT, MI	06/20/2001		
BOURLAND, CHARLES HARBOR, OR	06/20/2001	HIGHT, GREGORY E GRASS VALLEY, CA	06/20/2001		
BUNDRANT, BRADLY FLORESVILLE, TX	06/20/2001	JAMES, TYSHAUN M PORT WASHINGTON, NY	06/20/2001		
BURKE, ANDREA MARIE HOUSTON, TX	04/20/2001	KABISCH, THOMAS F ANN ARBOR, MI	06/20/2001		
CAMINITI, GREGORY N TAMPA, FL	06/20/2001	KUNA, TIMOTHY MADISON HGTS, MI	06/20/2001		
CAMPBELL, THOMAS N BEAUMONT, TX	06/20/2001	MOSELY, LEE O JR HOUSTON, TX	06/20/2001		
CARMAN, TIMOTHY P LA JOLLA, CA	05/17/2001	ODETTE, CAROLINE K HOUSTON, TX	05/03/2001		
CHAPMAN, WILLIAM CHARLES JR SAN ANTONIO, TX	06/20/2001	RODRIGUEZ, MARIA J SAN GERMAN, PR	06/20/2001		
CHIGER, BYRON J ACWORTH, GA	06/20/2001	STEPHENS, GREGORY W HOUSTON, TX	06/20/2001		
CLARK, GARTH A HUMBLE, TX	06/20/2001	STUART, CLAUDETTE HOUSTON, TX	06/20/2001		
COTA, CHRISTOPHER T GRASS VALLEY, CA	06/20/2001	TAHIJA, MARK J MINNEAPOLIS, MN	06/20/2001		
CREA, JOSE CREA, JOSE	06/20/2001	TOWNSEND, LEO W ELK GROVE, CA	04/20/2001		
		TYSON, YVONNE A LONG BEACH, CA	06/20/2001		
		VINCZE, MARGARET OLD ORCHARD BCH, ME	06/20/2001		
		WALKER, STEVE L NASHVILLE, TN	06/20/2001		
		WASHINGTON, PATRICIA L ... TORRANCE, CA	06/20/2001		
		WIMBLY, TIMOTHY TYRONE OKLAHOMA CITY, OK	06/20/2001		
		WISEMAN-STRANG, JAC- QUELINE D 06/20/2001	06/20/2001		

32, Township 63 South, Range 37 East, Monroe County, Florida.

The passage of hurricane Georges in 1998 destroyed natural and planted vegetation in the middle and lower Florida Keys. Efforts are currently underway by many landowners to restore vegetation on their properties. The Applicant intends to restore native tropical hardwood vegetation on portions of the enrolled property that currently are maintained as a golf course. With the assistance of the University of Florida Department of Entomology and using funding provided through the National Fish and Wildlife Foundation, the Applicant proposes to plant up to 600 native shrubs and trees within the enrolled property. These vegetation plantings will help create an estimated eight acres of native tropical hardwood forest on the property. Cheeca Lodge contains approximately 27 acres which will be covered under the subject SHA.

Future activities of the Applicant may result in the removal of some or all of the planted native vegetation. Removal of this vegetation could return the enrolled property to the baseline condition. Future alterations to the planted vegetation may destroy all or part of the potentially suitable butterfly habitat that will be established.

A more detailed description of the proposed conservation benefits and potential effects of returning the enrolled property to baseline conditions is provided in the **SUPPLEMENTARY INFORMATION** section below.

The SHA may be obtained by making a request to the Regional Office (see **ADDRESSES**). Requests must be in writing to be processed. This notice also advises the public that the Service has made a preliminary determination that issuance of the ESP will not result in significant environmental, economic, social, historical or cultural impacts and is, therefore, categorically excluded from review under the National Environmental Policy Act of 1969, as amended (NEPA), pursuant to 516 Departmental Manual 2, Appendix 1 and 516 Departmental Manual 6, Appendix 1. This notice is provided pursuant to section 10 of the Act and the Service's Safe Harbor Policy (**Federal Register** Vol. 64, No. 116, June 17, 1999, pp. 32717-32726). The Service specifically requests information, views, and opinions from the public via this notice. Further, the Service is specifically soliciting information regarding the adequacy of the SHA as measured against the Service's Safe Harbor Policy.

DATES: Written comments on the SHA and ESP application should be sent to

the Service's Regional Office (see **ADDRESSES**) and should be received on or before July 13, 2001.

ADDRESSES: Persons wishing to review the SHA and ESP application may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345 (Attn: Endangered Species Permits), or Field Supervisor, U.S. Fish and Wildlife Service, Post Office Box 2676, Vero Beach, Florida 32961-2676. Written data or comments concerning the SHA or ESP application should be submitted to the Regional Office and must be in writing to be processed. Comments must be submitted in writing to be adequately considered in the Service's decision-making process. Please reference permit number TE-022736-0 in your comments, or in requests of the documents discussed herein.

FOR FURTHER INFORMATION CONTACT: Mr. Lee Andrews, Regional Safe Harbor Program Coordinator, (see **ADDRESSES** above), telephone: 404/679-7217, facsimile: 404/679-7081; or Mr. Mike Jennings, Fish and Wildlife Biologist, South Florida Field Office, Vero Beach, Florida (see **ADDRESSES** above), telephone: 561/562-3909.

SUPPLEMENTARY INFORMATION: The Schaus swallowtail butterfly is a large dark brown and yellow butterfly that inhabits tropical hardwood hammocks of extreme south Florida. Historically, the Schaus swallowtail butterfly was distributed from south Miami to Lower Matecumbe Key. More recently, Schaus swallowtail butterflies were known only from undisturbed tropical hardwood hammocks from Elliott Key in Biscayne National Park south to northern Key Largo. Reintroductions have recently occurred from southern Dade County to Lower Matecumbe Key. This species was Federally listed as endangered in 1984 due to habitat destruction, mortality associated with application of pesticides for mosquito control, and over-harvesting by collectors. These factors acting in combination with high natural mortality associated with predation of caterpillars resulted in substantial declines in the number and range of this species.

The Schaus swallowtail butterfly prefers dense, mature tropical hardwood hammocks where direct sunlight is filtered or dappled. Adults feed on a number of nectar producing plant species endemic to hardwood hammocks but have most often been

observed feeding on guava (*Psidium guajava*), cheese shrub (*Morinda royoc*), and wild coffee (*Psychotria undata*). Adults rarely feed in open areas exposed to direct sunlight. The eggs of this species are typically laid on wild lime (*Zanthoxylum fagara*) and torchwood (*Amyris elemifera*) with larva subsequently eating the young, tender shoots of these species.

The proposed planting of native vegetation within the two enrolled properties will provide important food resources for dispersing butterflies. Currently, butterflies traveling south from core population centers on Key Largo and Biscayne National Park do not have dependable sources of nectar producing vegetation and, as a result, many of the dispersing butterflies are thought to perish during their dispersals. Suitable unoccupied habitat exists in the lower Florida Keys, but butterflies are not currently able to travel from the core population centers in the upper Florida Keys to these locations because food supplies are limited between these areas. The proposed conservation measures will reduce the distance butterflies will have to fly in order to find nourishment, resulting in increased survival of dispersing butterflies. Increased survival of dispersing butterflies is believed to enhance the probability of natural recolonization of unoccupied, suitable habitat in the lower Florida Keys.

The Applicant recognizes the inherent benefits of implementing the conservation measures for the butterfly, however, the Applicant also wishes to retain flexibility with respect to future land use of their property. Though not anticipated in the immediate future, such alterations in land uses may require the removal of some or all of the planted vegetation which could reduce, or remove entirely, the overall conservation value of these plantings to the butterfly. Accordingly, the Service has entered into the SHA with the Applicant and proposes to issue the requested ESP to cover the potential removal of butterfly habitat by the Applicant in the future to baseline conditions. The Service has established the baseline conditions at the enrolled property as zero (0) butterflies and no currently suitable butterfly habitat.

The Service will also evaluate whether the issuance of the ESP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of the biological opinion, in combination with the above findings and any public comments, will be used in the final analysis to determine whether or not to issue the requested ESP.

Dated: May 29, 2001.

H. Dale Hall,

Acting Regional Director.

[FR Doc. 01-14860 Filed 6-12-01; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of the Final Environmental Assessment and Finding of No Significant Impact for Federal Agency Participation in the Virgin River Resource Management and Recovery Program

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of a Final Environmental Assessment for Federal agency participation in the Virgin River Resource Management and Recovery Program.

SUMMARY: This notice advises the public that a Finding of No Significant Impact (FONSI) and the Final Environmental Assessment (EA) for Federal agency participation in the Virgin River Resource Management and Recovery Program (Program) are available for public review. The purpose of the proposed Federal action described in the EA is to formally declare intent of the Fish and Wildlife Service, the Bureau of Land Management, and the National Park Service to participate in the multiagency program designed to implement recovery actions for two endangered fish species, the woundfin and the Virgin River chub, as well as conservation actions for the Virgin spinedace, a species being managed as sensitive by the State of Utah and subject of a conservation agreement. In addition to implementing recovery actions, the Program will facilitate resolution of conflicts between endangered species protection and water development in the Virgin River Basin in Utah. Other participants include the State of Utah Department of Natural Resources, the Washington County Water Conservancy District, and Grand Canyon Trust, a local nonprofit environmental conservation group.

The EA addresses three alternatives: (A) A no action alternative for which the Federal agencies would not participate in the Program but would continue to administer and comply with the Endangered Species Act (Act) as previously done; (B) Federal agency participation in the Program which describes a process for administration and compliance with the Act that provides for full implementation of

recovery and conservation actions for the protected fish species, as well as providing a mechanism for section 7 compliance of the Act that reduces conflict in the Utah portion of the Virgin River basin; and (C) Federal agency participation in a basinwide recovery program that includes implementation of the Program in Arizona and Nevada, as well as Utah. Based on the Finding of No Significant Impact, the U.S. Fish and Wildlife Service has determined that the proposed action is not a major Federal action which would significantly affect the quality of the human environment within the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969.

DATES: Copies of the Final EA and FONSI will be mailed to affected Government offices and interested parties who specifically requested them. Those interested persons not on the EA mailing list may request a copy from the Project Leader at the address below. Written comments must be received on or before July 13, 2001.

All comments received will become part of the official public record. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's National Environmental Policy Act Regulations (40 CFR 1506.6). When requested, comment letters with the names and addresses of the individuals who wrote the comments will generally be provided in response to such requests to the extent permissible by law. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. If you wish to withhold your name and/or address, you must state this prominently at the beginning of your comments.

ADDRESSES: Written comments should be addressed to the Field Supervisor, Utah Ecological Services Field Office, Lincoln Plaza, 145 East 1300 South State Street, Suite 404, Salt Lake City, Utah 84115. All comments and material received will be available upon request for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Henry R. Maddux, Utah Field Supervisor (see **ADDRESSES** above), or at 801-524-5001 extension 126.

SUPPLEMENTARY INFORMATION:

Background

The woundfin was listed as endangered on October 13, 1970 (35 FR 16047). The Virgin River chub was

listed as endangered on August 24, 1989 (54 FR 35305). The Virgin River Fishes Recovery Plan (VRFRP), which included recovery of both woundfin and Virgin River chub, was finalized in 1995. Critical Habitat was designated for these two species on January 26, 2000 (65 FR 4140). The Virgin spinedace was proposed for listing as endangered on May 18, 1994 (59 FR 25875). The Virgin Spinedace Conservation Agreement and Strategy (VSCAS) to eliminate or reduce impacts threatening the continued existence of Virgin spinedace was finalized on April 11, 1995, and subsequently, the proposal to list was withdrawn on February 6, 1996 (61 FR 44010). All three of these fish species are endemic to the Virgin River basin through Utah, Arizona, and Nevada. The southwestern willow flycatcher is a neotropical migratory bird listed as endangered on February 27, 1995 (60 FR 10693) that seasonally occupies sites along the Virgin River and throughout the desert southwest. In addition, the Virgin River basin retains a diversity of native desert animal and plant species, many of which are declining due to impacts from human development in the area.

Despite Federal listing of two fish species, implementation of recovery actions in the Virgin River to benefit endangered fish have been minimal due to limited funding for recovery over the past 25 years. Furthermore, conflicts have arisen between water development interests and those managing for protection of native species that rely on the river environment. Specifically, contention between the local environmental community and local water developers over operations of the Quail Creek Diversion in the Virgin River near Hurricane, Utah, led to discordant relations and threats of litigation among the agencies and organizations interested in water use.

To resolve this situation, the interested entities agreed to develop the Virgin River Resource Management and Recovery Program that would provide a mechanism to prioritize, fund, and implement recovery actions while allowing water development necessary to meet human needs in the Utah portion of the Virgin River basin. It is anticipated that the Program will not only provide recovery actions that are necessary to offset impacts from proposed development actions to the native protected species, but further lead to full recovery of the endangered fish species and conservation of the Virgin spinedace, as well as provide benefits to the endangered southwestern willow flycatcher.