

**SUPPLEMENTARY INFORMATION:** The National Wildlife Refuge System Improvement Act of 1997 that amends the National Wildlife Refuge Administration Act of 1966 (16 U.S.C. 668 dd-ee) requires that we authorize economic privileges on any national wildlife refuge by permit only when the activity will be compatible and appropriate with the purposes for which the refuge was established. We will provide the permit applications as requested by interested citizens. We will use information provided on the required written forms and/or verbal applications to ensure that the applicant is eligible for the permit. We make provision in our general refuge regulations for public entry for specialized purposes, including economic activities such as the operation of guiding and other visitor services on refuges by concessionaire or cooperators under appropriate contractors or legal agreements or special use permits (50 CFR § 25.41 and §§ 25.61, 30.11, 31.13, and 31.16). These regulations provide the authorities and procedures for allowing permits on refuges outside of Alaska.

We use this permit to authorize such items as farming operations (hay and grazing, and beneficial management tools that we use to provide the best habitat possible on some refuges), recreational visitor service operations (outfitters/guides), commercial filming, and other commercial and noncommercial activities. Likely respondents will be individual citizens, certain corporations who wish to be considered to conduct special uses on a refuge, non-profit organizations, Federal, State, local, or Tribal governments. We will issue permits for a specific period as determined by the type and location of the use or visitor service provided.

OMB regulations at 5 CFR 1320, which implement provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104-13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). We are submitting a request to OMB to renew its existing approval of the collection of information for National Wildlife Refuge System Special Use Permit for all Refuges Outside Alaska, which expires on December 31, 2001.

Federal agencies may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

We previously published a 60-day notice on this information collection requirement in the **Federal Register** on April 26, 2001 (66 FR 21006) inviting public comment. We received no comments on that notice as of the comment close of June 25, 2001. This notice provides an additional 30 days in which to comment on the following information:

*Title:* National Wildlife Refuge System Special Use Permit for all Refuges Outside Alaska.

*Approval Number:* 1018-0102.

*Service Form Number:* 3-1383.

*Frequency of Collection:* On occasion.

*Description of Respondents:*

Individuals and households; Business and other for-profit organizations; nonprofit institutions; Farms; and State, local or tribal governments.

*Total Annual Burden Hours:* We have 522 national wildlife refuges outside the State of Alaska. We anticipate that each refuge will authorize approximately 20 permits each year. This is a total of 10,440 permits. We estimate that it takes an hour to complete the application requirements to supply the necessary information. Therefore the annual burden estimate in hours is 10,440.

Dated: September 6, 2001.

**Rebecca A. Mullin,**

*Service Information Collection Clearance Officer.*

[FR Doc. 01-25866 Filed 10-12-01; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Availability of an Environmental Assessment/Habitat Conservation Plan for Issuance of an Endangered Species Act Section 10(a)(1)(B) Permit for the Incidental Take of the Bald Eagle (*Haliaeetus leucocephalus*) During the Continued Development of the East Lake Area, The Woodlands, Montgomery County, TX**

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

**ACTION:** Notice of documents availability; request for comments.

**SUMMARY:** The Applicant, The Woodlands Operating Company, L.P., have 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 Applicants have been assigned permit number TE-048649-0. The requested permit, which would be for a period of 30 years, would authorize the incidental take of the threatened

bald eagle (*Haliaeetus leucocephalus*). The proposed take would occur as a result of the otherwise lawful development of the East Lake Area of The Woodlands, Montgomery County, Texas.

An Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take application has been prepared. 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 November 14, 2001.

**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 Edith Erfling, U.S. Fish and Wildlife Service, Clear Lake Ecological Services Field Office, 17629 El Camino Real, Suite 211, Houston, Texas 77058 (281/286-8282). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8 to 4:30) at the U.S. Fish and Wildlife Service, Houston, Texas. Written data or comments concerning the application and EA/HCP should be submitted to the Supervisor, U.S. Fish and Wildlife Service, Houston, Texas, at the above address. Please refer to permit number TE-048649-0 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Edith Erfling at the above U.S. Fish and Wildlife Service, Clear Lake Ecological Services Field Office.

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the bald eagle. 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:** The Woodlands is a 28,000-acre master-planned new community development, located approximately 30 miles north of Houston, Montgomery County, Texas. The current population of The Woodlands is approximately 63,000 residents. At build-out, the total population is expected to reach 110,000 residents. This action may result in the abandonment of a bald eagle nest site. The Applicant proposes to compensate

for this incidental take by agreeing to provide buffers between forested areas and development as well as funding a bald eagle research project.

**Stephen C. Helfert,**

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

[FR Doc. 01-25852 Filed 10-12-01; 8:45 am]

BILLING CODE 4510-55-P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Restoration of the Diamond Lake Recreational Fishery

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

**ACTION:** Notice.

**SUMMARY:** The Fish and Wildlife Service announces that we are cancelling a Notice of Intent to gather information necessary to prepare an Environmental Impact Statement (EIS) for the proposed Oregon State project "Restoration of the Diamond Lake Recreational Fishery."

**FOR FURTHER INFORMATION CONTACT:** Jerry Novotny, Office of Migratory Birds and State Programs, U.S. Fish and Wildlife Service, 911 NE. 11th Avenue, Portland, Oregon 97232-4181. Telephone: 503-231-6128.

**SUPPLEMENTARY INFORMATION:** Pursuant to the National Environmental Policy, the U.S. Fish and Wildlife Service (Service) advises the public that we are cancelling a Notice of Intent Act to gather information necessary to prepare an Environmental Impact Statement (EIS) for the proposed State project "Restoration of the Diamond Lake Recreational Fishery" (**Federal Register** Vol. 64, No. 39, pages 10009-10011, March 1, 1999). This State project was to be funded through the Service's Federal Aid in Sport Fish Restoration Program. The State of Oregon, at the direction of their Fish and Wildlife Commission, has notified the Service that they are withdrawing their proposal and associated funding request to treat the lake with rotenone in an attempt to eradicate an overpopulation of tui chub. Water quality issues, concerns about downstream disturbances, and escalating costs of such a large project resulted in the State's change of plans. They now intend to selectively manage the lake for species native to the watershed to seek control of the tui chub population.

Dated: October 3, 2001.

**Cynthia U. Barry,**

*Acting Regional Director.*

[FR Doc. 01-25869 Filed 10-12-01; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit for the Redhawk Communities, Inc. Development in Riverside County, CA

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

**ACTION:** Notice of availability and  
receipt of application.

**SUMMARY:** Redhawk Communities, Incorporated (the Applicant) has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended. The Service is considering issuance of a 7-year permit to the Applicant that would authorize take of the endangered Riverside fairy shrimp (*Streptocephalus woottoni*) incidental to otherwise lawful activities. Such take would occur during the construction of 326 residential units and 84 condominium units on a previously graded site located near Temecula in southwestern Riverside County, California.

We request comments from the public on the permit application, and an Environmental Assessment, both of which are available for review. The permit application includes the proposed Habitat Conservation Plan (HCP) and an accompanying Implementing Agreement (legal contract).

**DATES:** We must receive your written comments on or before December 14, 2001.

**ADDRESSES:** Please address written comments to Mr. Jim Bartel, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008. You also may send comments by facsimile to (760) 431-5902.

**FOR FURTHER INFORMATION CONTACT:** Ms. Karin Cleary-Rose, Habitat Conservation Plan Coordinator, at the above address or call (760) 431-9440.

#### SUPPLEMENTARY INFORMATION:

##### Availability of Documents

You may obtain copies of these documents for review by contacting the

above office. Documents also will be available for public inspection, by appointment, during normal business hours at the above address and at the Temecula Library located at 41000 County Center Drive, Temecula, California.

#### Background

Section 9 of the Endangered Species Act (Act) and Federal regulations prohibit the "take" of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the Act to include "harass, harm, pursue, hunt, shot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The Service may, under limited circumstances, issue permits to authorize incidental take (i.e., take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing incidental take permits for threatened and endangered species are found in 50 CFR 17.32 and 17.22.

The Applicant has proposed development of 326 residential units and 84 condominium units on 102.81 acres. Surrounding land uses include residential development and a golf course.

Biologists surveyed the project site for biological resources between 1998-2001. While no listed species had been found on Vesting Tentative Tracts 1, 2 and 3 and Tract 30246, issuance of a grading permit by the County was conditioned on surveys for Quino checkerspot butterfly (*Euphydryas editha quino*) and coastal California gnatcatcher (*Poliptila californica californica*) in the year immediately prior to construction. Surveys were conducted in 2001 by Pacific Southwest Biological Services. Neither Quino checkerspot butterfly nor coastal California gnatcatcher was found on the project site. During a break in pre-construction protocol surveys for the gnatcatcher on March 23, 2001, five fairy shrimp were observed and collected in two small temporary erosion control sedimentation basins on site.

During additional 2001 surveys of the sedimentation basins, biologists found Riverside fairy shrimp in 11 of the 19 temporary sedimentation basins that still contained water. No shrimp were collected in two of the basins, and six basins were dry and not sampled. For purposes of this incidental take permit application, all 19 of the temporary