

on non-Service wetlands. These insects are not native to North America.

During the summer of 1995, the Service proposes to acquire and begin releasing the beetles at selected refuges in Fish and Wildlife Service Regions 3 and 5. In following years, the Service will acquire and release the beetles throughout the range of purple loosestrife in the United States.

The primary reason for releasing these five insect species as a tool for purple loosestrife control is to lessen the negative environmental impacts caused by purple loosestrife infestations themselves and the methods used currently to control the weed plant. The intended result of the proposed action is to cause positive environmental impacts.

In addition to the proposed action, the Service also considered the alternative of continuing current management of purple loosestrife on Service lands without biological control agents as well as the alternative of using the two previously approved biological control agents *Nanophyes marmoratus* and *N. brevis* in addition to the current management practices. The selected alternative is the proposed action of releasing the five insects to develop a continuous biological control of the plant.

Based on my review and evaluation of the subject Environmental Assessment, I find that the proposed release in the United States of *G. californicus*, *G. pusilla*, *Hylobius tansversovittatus*, *Nanophyes marmoratus* and *N. brevis* as tools for the control of purple loosestrife *Lythrum salicaria*, as described in the environmental assessment, is not expected to have a significant negative impact on the quality of the human environment. This finding is supported by the following:

1. The host ranges of *G. californicus*, *G. pusilla*, *Hylobius tansversovittatus*, *Nanophyes marmoratus* and *N. brevis* are restricted to the genus of the target host *Lythrum salicaria*. Once released, these species are not expected to feed on any plant species other than the nonindigenous target weed, purple loosestrife.

2. Releases of these insect species are not expected to have negative impacts on any endangered or threatened species listed by any Federal Government or State Government.

3. Use of chemical pesticides and fire to control purple loosestrife would be reduced if, as expected, the proposed biological control agents prove to be both safe and efficacious.

4. The proposed release is expected to have a positive effect on biotic diversity in aquatic natural resources.

Dated: July 13, 1995.

Robert Streeter,

Assistant Director, Refuges and Wildlife, U.S. Fish and Wildlife Service.

Dated: August 2, 1995.

Robert C. Lesino,

Acting Assistant Director, Refuges and Wildlife.

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Availability of an Environmental Assessment, Habitat Conservation Plan, and Receipt of an Application for an Incidental Take Permit for the Sam Houston Resource Conservation & Development Areas, Inc., Native Gulf Coast Prairie Restoration Project

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Sam Houston Resource Conservation & Development Area, Incorporated 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 proposed permit, which is for a period not to exceed 99 years, would authorize the future take of the endangered Attwater's prairie chicken *Tympanuchus cupido attwateri* (APC) and the endangered Houston toad *Bufo houstonensis* incidental to such lawful activities as farming, ranching, residential development, etc., on private land in the Gulf Coast Prairie Ecosystem of Texas. The proposed permit would authorize incidental take only on land that is enrolled in the "safe harbor" program.

An Environmental Assessment (EA) and Habitat Conservation Plan (HCP) have been prepared for the incidental take permit application. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made before 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 permit application should be received on or before September 11, 1995.

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 and/or HCP may obtain a copy by contacting either Mr. Steven D. Arey or Ms. Edith A. Erfling, Clear Lake Field Office,

17629 El Camino Real, Suite 211, Houston, Texas 77058 (713/286-8282). Documents will be available by written request for public inspection, by appointment, during normal business hours at the Clear Lake Field Office (8:00 a.m. to 5:00 p.m.). Written data or comments concerning the application or EA should be submitted to the Field Supervisor (see ADDRESS above). Please refer to Permit Number PRT-805073).

FOR FURTHER INFORMATION CONTACT: Mr. Steven D. Arey or Ms. Edith A. Erfling at the above Clear Lake Field Office.

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the Attwater's prairie chicken or 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.

Sam Houston Resource Conservation & Development Area, Incorporated has initiated a program to restore, conserve, enhance, and maintain the historic Gulf Coast Prairies of Texas and to ensure the continued existence of the coastal prairie ecosystem. A significant component of the success of the program is the development of a plan under Section 10(a)(1)(B) of the Act that encourages restoration, conservation and/or enhancement of prairie habitats that support either endangered or threatened species of fish or wildlife on private land in return for protection—a "safe harbor"—from any additional future liabilities under the Act.

Only land that is enrolled in the "safe harbor" program for which a landowner Prairie Restoration Agreement (Agreement) has been signed will be covered by the proposed permit. The Agreement will specify the proposed habitat improvements and record the general condition of the site through maps, photos, and biological surveys. Agreements will be for a minimum of 10 years and subject to a potential repayment obligation to RC&D, of an amount equal to 100% of the amounts expended, if the Agreement is terminated due to a cooperator's breach of the Agreement.

This proposal does not involve the incidental take of existing endangered species habitat; i.e., the baseline habitat on private land will be protected. Nor does the proposal allow an endangered species to be shot, captured or otherwise directly "taken".

The area to be affected by the proposed action encompasses 19 counties within the Gulf Coast Prairies