

respect to a particular environmental impact statement, and will either accept or deny such requests. If such a request is denied, bureaus will state in writing, within the environmental impact statement, the reasons for such denial.

F. Throughout the development of the environmental impact statement, the bureau will collaborate, to the fullest extent practicable, with all cooperating agencies, concerning those issues relating to their jurisdiction and/or special expertise. Collaboration will be to:

(1) Identify issues to be addressed in the environmental impact statement;

(2) arrange for the collection and/or assembly of necessary resource, environmental, social, economic, and institutional data;

(3) analyze data;

(4) develop alternatives; (1) Evaluate alternatives and estimate the effects of implementing each alternative; and

(6) carry out any other task necessary for the development of the environmental impact statement.

G. Bureaus and eligible governmental entities are required to express in a memorandum of understanding their respective roles, assignment of issues, schedules, and staff commitments so that the NEPA process remains on track and within the time schedule.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of a Draft Environmental Assessment/Habitat Conservation Plan and Receipt of a Permit Application (Reyna) for Incidental Take of the Houston Toad**

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

**ACTION:** Notice of availability and 60-day public comment period.

**SUMMARY:** Jesus Reyna (Applicant) has applied for an incidental take permit (TE-104765-0) pursuant to Section 10(a) of the Endangered Species Act (Act). The requested permit would authorize incidental take of the endangered Houston toad. The proposed take would occur as a result of the construction and occupation of a primary residence and detached garage, guest house and detached garage, workshop, well pump house, and three septic systems on an approximately 16.545-acre (6.68-hectare) tract of land located on Felix Road, Bastrop County, Texas.

**DATES:** To ensure consideration, written comments must be received on or before August 5, 2005.

**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, Room 4102, Albuquerque, New Mexico 87103. Persons wishing to review the draft Environmental Assessment/Habitat Conservation Plan (EA/HCP) may obtain a copy by contacting Clayton Napier, 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 a.m. to 4:30 p.m.) at the U.S. Fish and Wildlife Service office, 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-104765-0 when submitting comments.

#### **FOR FURTHER INFORMATION CONTACT:**

Clayton Napier at the U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0057).

**SUPPLEMENTARY INFORMATION:** Section 9 of the Act prohibits the "taking" of endangered species such as the Houston toad. However, the Fish and Wildlife Service (Service) may issue permits to take endangered wildlife species, if the take is incidental to, and not the purpose of, otherwise lawful activities. Regulations governing permits for endangered species are at 50 CFR 17.22.

The Service has prepared the draft EA/HCP for the incidental take application. A determination of jeopardy or non-jeopardy to the species and a decision pursuant to the National Environmental Policy Act (NEPA) will not be made until at least 60 days after the date of publication of this notice. This notice is provided pursuant to Section 10(c) of the Act and NEPA regulations (40 CFR 1506.6).

*Applicant:* Jesus Reyna plans to construct a primary residence and detached garage, guest house and detached garage, workshop, well pump house, and three septic systems on an approximately 16.545-acre (6.68-hectare) tract of land located on Felix Road, Bastrop County, Texas. This action will eliminate 0.5 acres of Houston toad habitat and result in indirect impacts. The Applicant proposes to compensate for incidental take of the Houston toad by providing \$3,000.00 to the Houston Toad Conservation Fund at the National Fish and Wildlife Foundation for the specific purpose of land acquisition and management within Houston toad habitat and by complying with other

mitigation measures found in the incidental take permit.

#### **Joy E. Nicholopoulos,**

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

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Temporary Concession Contract for Great Smoky Mountains National Park, TN**

**ACTION:** Notice of proposed award.

**SUMMARY:** Public notice is hereby given that the National Park Service (NPS) proposes to award a temporary concession contract that requires the operation of horseback riding stables and vending machine sales of soft drinks and bottled water, and authorizes limited souvenir sales in the Sugarlands region of the Great Smoky Mountains National Park near Gatlinburg, Tennessee for a term not to exceed October 31, 2006.

**EFFECTIVE DATE:** June 27, 2005.

**FOR FURTHER INFORMATION CONTACT:** Henry Benedetti, Chief, Commercial Services, National Park Service, Southeast Region, 404-562-3112, extension 661.

**SUPPLEMENTARY INFORMATION:** The temporary concession contract is being awarded to Smoky Mountain Stables, Inc., a qualified person, as that term is defined in 36 CFR 51.3. The NPS terminated the prior concession contract at Sugarlands on May 2, 2005, has taken all reasonable and necessary steps to consider alternatives to avoid further interruption of visitor services, and has determined that this award is necessary to avoid further interruption of visitor services.

This action is issued pursuant to 36 CFR 51.24(a). This is not a request for proposals and no prospectus is being issued at this time. The Director intends to issue a prospectus in 2006 to allow the competitive award of a long-term concession contract that will be effective prior to the 2007 operation season at Sugarlands. You may be placed on a mailing list for receiving information regarding the prospectus by sending a written request to the above address.