DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction and Operation of a Residential Development on the Approximately 304-Acre Rough Hollow Property, Lakeway, Travis County, TX

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Lakeway Rough Hollow, Ltd. (Applicant) has applied to the 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 PRT-812690. The requested permit, which is for a period of 30 years, would authorize the incidental take of the endangered golden-cheeked warbler (Dendroica chrysoparia). The proposed take would occur as a result of the construction and operation of a residential development on the approximately 304-acre parcel. The impacts to the listed species have been addressed in the associated habitat conservation plan.

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 30 days after 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 May 13, 1998.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing to the Regional Director (ATTN: ES), 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 Sybil Vosler, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063).

Documents will be available for public inspection by appointment only during normal business hours (8:00 a.m. to 4:30 p.m.). Written data or comments concerning the application(s) and EA/HCP's should be submitted to the Field Supervisor, Ecological Field Office, Austin, Texas (see ADDRESSES above). Please refer to permit number PRT-812690 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Sybil Vosler at the Austin Ecological Services Field Office (see ADDRESSES above).

SUPPLEMENTARY INFORMATION: Section 9 of the Act prohibits the "taking" of endangered species such as the golden-cheeked warbler. 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: Lakeway Rough Hollow, Ltd. plans to construct a residential development on the 304-acre tract and purchase 116 Mitigation Credits from the Lakeway Mitigation Account. The Lakeway Mitigation Account provided $3.5 million to the City of Austin to enable the purchase of the approximately 942-acre Ivanhoe tract containing essential, high-quality golden-cheeked warbler habitat to be included in the Balcones Canyonlands Preserve in perpetuity. The construction will be located at the Rough Hollow property located on the south side of Lake Travis immediately west of the City of Lakeway and approximately 18 miles west-northwest of the downtown City of Austin.

Alternatives to this action were considered and rejected because selling or not developing the subject property was not economically feasible.

Stephen C. Helfert,
Acting Regional Director, Region 2,
Albuquerque, New Mexico.

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DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the South Dakota State Archaeological Research Center, Rapid City, SD

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the South Dakota State Archaeological Research Center, Rapid City, SD.

A detailed assessment of the human remains was made by South Dakota State Archaeological Research Center (SARC) professional staff and contract specialists in physical anthropology and archeology in consultation with representatives of the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Lower Brule Sioux Tribe of the Lower Brule Reservation, Oglala Sioux Tribe of the Pine Ridge Reservation, Rosebud Sioux Tribe of the Rosebud Indian Reservation, Standing Rock Sioux Tribe of North & South Dakota, Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation, and Upper Sioux Indian Community of the Upper Sioux Reservation.