established for issuance of an incidental take permit will be fully satisfied.

Alternatives Considered

- 1. Proposed action,
- 2. No action,
- 3. Alternate project design,
- 4. Wait for the Čity of Austin's Regional Conservation Plan.

Determination

Based upon information contained in the Environmental Assessment/Habitat Conservation Plan, the Service has determined that this action is not a major Federal action which would significantly affect the quality of the human environment with the meaning of Section 102(2)(c) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an Environmental Impact Statement on the proposed action is not warranted.

It is my decision to issue the Section 10(a)(1)(B) permit for the construction and operation of the Barton Creek Property development, southwest of Austin, Travis County, Texas.

John G. Rogers,

Regional Director, Region 2, Albuquerque, New Mexico.

[FR Doc. 95–4541 Filed 2–23–95; 8:45 am]

Availability of an Environmental Assessment and an Application for an Incidental Take Permit to Implement the Red-cockaded Woodpecker "Safe Harbor" Program in the Sandhills Region of North Carolina

AGENCY: Fish and Wildlife Service,

Interior.

ACTION: Notice.

SUMMARY: The U.S. Fish and Wildlife Service's (Service) Red-cockaded Woodpecker Recovery Coordinator (Applicant) is seeking an incidental take permit pursuant to Section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The permit would authorize the take of the federally endangered red-cockaded woodpecker Picoides borealis (RCW) at some point in the future, incidental to such lawful activities as timber harvesting, residential development, etc., on private and other public land (excluding Federal land and the Sandhills Game Lands, which are managed by the North Carolina Wildlife Resources Commission) in the six-county Sandhills Region of North Carolina. Specifically, the plan area boundary includes land south of N.C. Highway 24/27 in Moore County; east of U.S. Highway 220 and north of U.S. Highway

74 in Richmond County; north of U.S. Highways 74 and 401 in Scotland County; north of U.S. Highway 401 in Hoke County; west of Interstate 95 in Cumberland County; and south of N.C. Highway 27 and west of U.S. Highway 401 in Harnett County. The permit would authorize incidental take only on land that is enrolled in the proposed "safe harbor" program, which is described in the Supplementary Information Section below.

The Service also announces the availability of an environmental assessment (EA) and habitat conservation plan (HCP) for the incidental take application. Copies of the EA or HCP may be obtained by making a request to the Regional Office address below. This notice also advises the public that the Service has made a preliminary determination that issuing the incidental take permit is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969, as amended. The Finding of No Significant Impact is based on information contained in the EA and HCP. The final determination will be made no sooner than 30 days from the date 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, EA, and HCP should be sent to the Regional Permit Coordinator in Atlanta, Georgia, at the address shown below and should be received on or before March 27, 1995.

ADDRESSES: Persons wishing to review the application, HCP, and EA may obtain a copy by writing the Service's Southeast Regional Office, 1875 Century Boulevard, Atlanta, Georgia 30345. Documents will also be available for public inspection by appointment during normal business hours at the Regional Office; the Sandhills Field Office in Southern Pines, North Carolina; or the Asheville, North Carolina, Field Office. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Please reference permit number PRT-798839 in such comments. Regional Permit Coordinator, U.S. Fish

and Wildlife Service, 1875 Century Boulevard, Suite 210, Atlanta, Georgia 30345 (Telephone 404/679–7110, Fax 404/679–7280).

Sandhills RCW Biologist, U.S. Fish and Wildlife Service, P.O. Box 119, 225 N. Bennett Street, Southern Pines, North Carolina 28388 (Telephone/Fax 910/695–3323).

Field Supervisor, U.S. Fish and Wildlife Service, 330 Ridgefield Court, Asheville, North Carolina 28806 (Telephone 704/665–1195, Fax 704/ 665–2782)

FOR FURTHER INFORMATION CONTACT: Mr. Mark Cantrell at the Sandhills Red-cockaded Woodpecker Field Office in Southern Pines, North Carolina; Ms. Janice Nicholls at the Asheville Field Office, Asheville, North Carolina; or Mr. Rick G. Gooch at the Southeast Regional Office, Atlanta, Georgia.

SUPPLEMENTARY INFORMATION: The Sandhills area of North Carolina supports one of the largest remaining populations of federally endangered red-cockaded woodpeckers (RCWs) in the nation and is identified in the RCW recovery plan as 1 of the 15 populations across the species' range that must be viable in order to recover the species. Unlike the other 14 recovery populations, however, a significant portion (approximately 30 percent) of the Sandhills RCW groups known are on private land and could potentially contribute to a Sandhills recovery population. RCWs on private land in the Sandhills have declined significantly over the past decade. Thus, the recovery of the RCW in the Sandhills is likely to be influenced significantly by the land management decisions of private landowners.

The Service and several other agencies/organizations are working cooperatively to develop an overall conservation strategy for the Sandhills RCW population and the longleaf pine ecosystem. One component of this strategy is a habitat conservation plan that will implement the proposed "safe harbor" program. The Service recognizes that landowners presently have no legal or economic incentive to undertake proactive management actions, such as hardwood midstory removal, prescribed burning, or protecting future cavity trees, that will benefit and help recover the RCW. Indeed, landowners actually have a disincentive to undertake these actions because of land use limitations that could result if their management activities attract RCWs. However, some Sandhills landowners may be willing to take or permit actions that would benefit the RCW on their property if the possibility of future land use limitations could be reduced or eliminated.

Thus, the Service is proposing the "safe harbor" program, which is designed to encourage voluntary RCW habitat restoration or enhancement activities by relieving a landowner who enters into a cooperative agreement with the Service from any additional