

### Finding of No Significant Impact for Incidental Take Permit for the Construction of a Single Family Residence Travis County, TX

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

**ACTION:** Notice.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) has prepared an Environmental Assessment for issuance of a Section 10(a)(1)(B) permit for the incidental take of the Federally endangered golden-cheeked warbler (*Dendroica chrysoparia*) during the construction and operation of a single-family residence in Travis County, Texas.

#### Proposed Action

The proposed action is the issuance of a permit under Section 10(a)(1)(B) of the Endangered Species Act to authorize the incidental take of the golden-cheeked warbler.

The Applicant (Richard S. Baggett) plans to construct a single-family residence at the specific site indicated as Lot 2, Block L, Long Canyon, Phase IIB, aka 9611 Bell Mountain Drive, Austin, Travis County, Texas, (PRT-800131).

The proposed construction and operation of the single-family residence will comply with all local, State, and Federal environmental regulations addressing environmental impacts associated with this type of development. Details of the mitigation are provided in the Environmental Assessment/Habitat Conservation Plan. The conservation plan actions ensure that the criteria established for issuance of an incidental take permit will be fully satisfied.

#### Alternatives Considered

1. Proposed action,
2. Alternate site locations,
3. Alternative site designs,
4. Wait for issuance of a regional Section 10(a)(1)(B) permit,
5. No action.

#### 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 single-family residence at the site specified above in Travis County, Texas.

**Lynn B. Starnes,**

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

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**BILLING CODE 4310-55-M**

### Bureau of Reclamation

#### Tongue River Basin Project

**AGENCY:** Bureau of Reclamation, Interior.

**ACTION:** Notice of availability and notice of public hearings on draft environmental impact statement INT-DES-95-26.

**SUMMARY:** Pursuant to the National Environmental Policy Act of 1969, as amended, the Department of the Interior, Bureau of Reclamation (Reclamation), in conjunction with the Northern Cheyenne Tribe (NCT) and the Montana Department of Natural Resources and Conservation (DNRC), has prepared a draft environmental impact statement (DEIS) on the proposed Tongue River Basin Project. The DEIS describes and presents the environmental effects of three alternatives, including no action, for a dam repair and enlargement project that would provide additional water to the NCT in partial fulfillment of the Northern Cheyenne Indian Reserved Water Rights Settlement Act of 1992 and enhance fish and wildlife habitat in the Tongue River Basin. Public hearings will be held to receive comments from interested organizations and individuals on the environmental impacts of the proposal.

**DATES:** A public review period commences with the publication of this notice and ends August 4, 1995. The public hearings are scheduled as follows:

| Date           | Time         | City and state      |
|----------------|--------------|---------------------|
| July 17, 1995. | 12:30 p.m.   | Busby, MT.          |
| July 17, 1995. | 5:30 p.m. .. | Lame Deer, MT.      |
| July 18, 1995. | 12:30 p.m.   | NCT Reservation.    |
| July 18, 1995. | 5:30 p.m. .. | Ashland, MT.        |
| July 19, 1995. | 12:30 p.m.   | Birney Village, MT. |
| July 19, 1995. | 5:30 p.m. .. | Sheridan, WY        |
| July 20, 1995. | 5:30 p.m. .. | Miles City, MT.     |
| July 21, 1995. | 5:30 p.m. .. | Billings, MT.       |

**ADDRESSES:** Addresses for public hearings are as follows:

- Busby, MT, Busby School Auditorium.
- Lame Deer, MT, Dull Knife Auditorium.
- NCT Reservation, Muddy Community Center.
- Ashland, MT, St. Labre Mission Auditorium.
- Birney Village, MT, Catholic Church.
- Sheridan, WY, Holiday Inn Conference Room.
- Miles City, MT, Miles City Community College.
- Billings, MT, Fireside Inn Conference Room.

Requests for copies of the DEIS should be addressed to:

- Area Manager, Bureau of Reclamation, Attention: MT-422, P.O. Box 30137, Billings, MT 59107-0137; telephone: (406) 247-2312.
- Director, Northern Cheyenne Natural Resources Department, P.O. Box 128, Lame Deer, MT 59043; telephone: (406) 477-6503.
- Director, Montana Department of Natural Resources and Conservation, 1520 East Sixth Avenue, Helena, MT 59620-2301; telephone: (406) 444-6701.

Copies of the DEIS will be available for inspection at the above addresses and libraries in the project vicinity.

**FOR FURTHER INFORMATION CONTACT:** Mark Albers, Tongue River Basin Project Coordinator, Montana Area Office; telephone (406) 247-7312.

**SUPPLEMENTARY INFORMATION:** The Tongue River Basin Project, which includes the repair and enlargement of the Tongue River Dam and the partial fulfillment of the Northern Cheyenne Indian Reserved Water Rights Settlement Act of 1992 (Pub. L. 102-374, 106 Stat. 1186) (Settlement Act), is being undertaken to alleviate dam safety concerns and protect downstream lives and property, to protect all existing water use contracts held in the Tongue River Reservoir, and to provide up to an additional 20,000 acre-feet of water to the Northern Cheyenne Tribe. An additional requirement of the project is to enhance fish and wildlife habitat throughout the Tongue River Basin. All project goals are components of the Settlement Act, which ratified the Water Rights Compact entered into on June 11, 1991, by the Northern Cheyenne Tribe and the State of Montana.

Three alternatives, including no action, are considered in the draft statement. The two action alternatives are: (1) Labyrinth Weir Spillway Design, and (2) Roller Compacted Concrete (RCC) Spillway Design. Both action