

**San Bernardino Meridian**

T.11N., R.9W.,

Sec. 34, N1/2N1/2SW1/4NE1/4NW1/  
4NW1/4, N1/2N1/2SE1/4NW1/4NW1/  
4NW1/4.

Containing 1.25 acres of public land, more or less.

**SUPPLEMENTARY INFORMATION:** The County of Kern has applied to expand the area currently leased for the North Edwards Community Park. The land will be leased during the development stage, and subsequently conveyed upon substantial completion of the approved plan of development. The lands are not needed for Federal purposes, and conveyance would be consistent with the 1980 California Desert Conservation Area Plan, as amended. The lease and conveyance of the land would be subject to the following terms and conditions:

1. Provisions of the Recreation and Public Purpose Act and applicable regulations of the Secretary of the Interior.
2. A right of way to the United States for ditches and canals, pursuant to the Act of August 30, 1980 (43 U.S.C. 945).
3. A reservation of all minerals to the United States, and the right to prospect, mine, and remove the minerals.

Publication of this Notice in the **Federal Register** segregates the public lands from all other forms of appropriation under the public land laws and the general mining laws, but not the mineral leasing laws or the Recreation and Public Purpose Act.

Detailed information concerning this action is available for review at the California Desert District, 6221 Box Springs Blvd., Riverside, CA 92507. For a period of 45 days after publication of this notice in the **Federal Register** interested parties may submit comments to the District Manager, California Desert District, in care of the above address. Objections will be reviewed by the State Director, who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, the classification will become effective 60 days after publication of this notice in the **Federal Register**.

Dated: June 5, 1995.

**Henri R. Bisson,**

District Manager.

[FR Doc. 95-15196 Filed 6-20-95; 8:45 am]

BILLING CODE 4310-40-P

**Fish and Wildlife Service****Endangered and Threatened Species Permit Application****AGENCY:** Fish and Wildlife, Interior.**ACTION:** Notice of availability.

Availability of an Environmental Assessment and Receipt of an Application for a Permit to Allow Incidental Take of 3 Threatened and Endangered Species and 19 Other Species by the City of Poway and its Redevelopment Agency, in San Diego County, California.

**SUMMARY:** This notice advises the public that the City of Poway and its Redevelopment Agency (applicants) have applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit (PRT-803743) pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (Act). The application package includes a Habitat Conservation Plan (HCP) and Implementing Agreement (IA). The proposed incidental take would occur as a result of habitat disturbance associated with residential and limited municipal development. The requested permit would authorize incidental take of the threatened coastal California gnatcatcher (*Poliptila californica californica*), endangered least Bell's vireo (*Vireo bellii pusillus*), and endangered southwestern willow flycatcher (*Empidonax traillii extimus*).

The applicants also request coverage of an additional 19 unlisted, sensitive species (11 plant, 8 animal) that occur within the City's jurisdiction. The HCP proposes to conserve all 22 species according to standards required for listed species under the Act, such that, barring unforeseen circumstances, the unlisted species could be amended to the 10(a)(1)(B) permit to authorize incidental take of these species should they be federally listed within the term of the 50-year permit. Concurrent with the proposed issuance of the Federal 10(a)(1)(B) permit, the California Department of Fish and Game proposes to issue a management authorization for the 22 species under section 2081 of the California Endangered Species Act.

Preparation of the HCP is a condition of Service approval of a significant roadway extension project, which will require significant mitigation. Federal approval of the HCP also is required as part of the special 4(d) rule for the California gnatcatcher (58 FR 65088). Incidental take of the gnatcatcher is allowed under section 4(d) of the Act if take results from activities conducted pursuant to the California Natural Community Conservation Planning

(NCCP) Act, NCCP Process Guidelines, and NCCP Southern California Coastal Sage Scrub Conservation Guidelines.

In addition to the permit application, the Service also announces the availability of an Environmental Assessment (EA). The EA evaluates the effects on the human environment of the proposed action: issuance of the incidental take permit and approval of the HCP and IA. 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 and EA should be received on or before July 21, 1995.

**ADDRESSES:** Comments regarding the adequacy of the HCP, IA, and EA should be addressed to Mr. Gail Kobetich, Field Supervisor, U.S. Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, CA 92008; FAX (619) 431-9618. Please refer to permit No. PRT-803743 when submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Nancy Gilbert, Fish and Wildlife Biologist, at the above address, telephone (619) 431-9440. Individuals wishing copies of the application and EA for review should immediately contact Ms. Gilbert.

**SUPPLEMENTARY INFORMATION:** The "take" of threatened and endangered species is prohibited under section 9 of the Act and its implementing regulations. Take is defined, in part, as killing, harming, or harassing listed species, including significant habitat modification that results in death of or injury to listed species. Under limited circumstances, the Service may issue permits to take listed species if such taking is incidental to otherwise lawful activities. Regulations governing permits are in 50 CFR 17.22 and 17.32.

The proposed action would allow incidental take of 3 listed animal species and up to 19 other species within the City of Poway. The City has jurisdiction over 24,999 acres, of which approximately 16,678 acres are natural habitats. To minimize and mitigate the impacts of the proposed take, the applicants propose to implement the HCP within an approximate 13,000-acre Resource Conservation Area (RCA). The RCA includes 78 percent of all remaining undeveloped habitat and 85 percent of the California gnatcatcher habitat (coastal sage scrub) under City jurisdiction. Nearly the entire extant gnatcatcher population within the planning area occurs within the RCA. The endangered southwestern willow flycatcher and least Bell's vireo potentially occur within the riparian