management strategies can be implemented if the outcome of proposed management regimes is inconsistent with the HCP goals for the species. It is the Service's position that no additional measures are required to implement the intent and purpose of the HCP.

National Environmental Policy Act Determination and Public Comment

An Environmental Impact Statement (EIS) was prepared to accompany this HCP due to the large scale of the effort and the Service's determination that this HCP was precedent setting. The EIS analyses the Proposed HCP and No Action alternatives in detail. The EIS describes the process that was followed to develop the HCP, including the input of partners and the interested public.

A Notice of Intent to prepare an EIS was announced in the **Federal Register** on June 5, 1995. Public scoping meetings followed at three locations in Wisconsin. The DNR also provided avenues for public involvement in the planning process and development of the HCP. Many interests were represented throughout the development process. Once the ITP application was received by the Service, an announcement of availability of the draft EIS was made in the **Federal Register** on April 16, 1999. The Service's permit requirements also call for announcement of availability of permit applications. Therefore, a more detailed announcement was made in the April 14, 1999, **Federal Register** which included a description of the proposed HCP and the EIS and included a web site address for complete documentation. Several hundred copies of the HCP/EIS were distributed to interested parties, including those that had expressed an interest during the development phase. An additional four requests for the HCP/EIS were received as a result of the announcement of availability of the drafts. Seven comment letters were received during the public review period and responses to the comments have been incorporated into the document(s). The announcement of the final EIS was made on July 2, 1999.

Based on the findings described in this record of decision, the Service has decided to issue an ESA Section 10(a)(1)(B) Incidental Take Permit to the Wisconsin Department of Natural Resources and HCP Partnership for a period of 10 years.

Dated: September 27, 1999.

William F. Hartwig,

Regional Director, Region 3, U.S. Fish and Wildlife Service, Fort Snelling, Minnesota.

[FR Doc. 99–25535 Filed 10–1–99; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Notice of Availability of an Environmental Assessment/Habitat Conservation Plan and Receipt of Application for Incidental Take Permit for Construction of Two Single Family Residences on 0.75 acres each of the 54.9 acres Platted as the Diamond Sky Subdivision on City Park Road in Travis County, TX

SUMMARY: Anthony Franzetti (Applicant) has applied to the U.S. 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 numbers TE–016491–0. 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 occupation of two single family residences on City Park Road, Austin, Travis County, Texas.

The Service has prepared the Environmental Assessment/Habitat Conservation Plan (EA/HCP) for the incidental take applications. A determination of jeopardy to the species or a Finding of No Significant Impact (FONSI) will not be made until at least 30 days from 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 November 3, 1999.

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, Albuquerque, New Mexico 87103. Persons wishing to review the EA/HCP may obtain a copy by contacting Scott Rowin, Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758 (512/490-0063). Documents will be available for public inspection by written request, by appointment only, during normal business hours (8:00 to 4:30) U.S. Fish and Wildlife Service, Austin, Texas. Written data or comments concerning the application(s) and EA/HCPs should be submitted to the Field Supervisor, Ecological Services Field Office, Austin, Texas at the above address. Please refer to permit number TE–016491–0 when submitting comments.

FOR FURTHER INFORMATION CONTACT: Scott Rowin at the above Austin Ecological Services Field Office.

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: Anthony Franzetti plans to construct two single family residences on 54.9 acres platted as the Diamond Sky Subdivision, on City Park Road Austin, Travis County, Texas. This action will eliminate less than two acres of habitat and indirectly impact less than 18 additional acres of golden-cheeked warbler habitat. The applicant proposes to compensate for this incidental take of golden-cheeked warbler habitat by placing the remaining balance of the property, approximately 53 acres, in a conservation easement in perpetuity.

Alternatives to this action were rejected because not developing the subject property with federally listed species present was not economically feasible and alteration of the project design would increase the impacts.

Thomas L. Bauer,

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

[FR Doc. 99–25684 Filed 10–1–99; 8:45 am]

BILLING CODE 4510–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Migratory Bird Permits; Notice of Intent To Prepare Two Management Plans and Environmental Assessments for Take of Wild Peregrine Falcons

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent.

SUMMARY: The American peregrine falcon (*Falco peregrinus anatum*) was removed from the protection of the U.S. Endangered Species Act (ESA) on August 25, 1999. The arctic peregrine falcon (*F. p. tundrius*) was removed from ESA protection in 1994. Due to their special status as recently delisted subspecies, we intend to develop two