

rap used to stabilize the drainage. Drainage instability has resulted in past flood damage to riparian vegetation, which has been exacerbated by cattle grazing leading to sparse vegetation in most areas. The proposed action proposes to stabilize the drainage and repair this past damage through extensive planting and reseedling. Remaining disturbance to Preble's habitat on Struthers Ranch would be confined to upland grassy areas. The remaining 16.4 hectares (40.3 acres) of Struthers Ranch not proposed for construction will remain undeveloped. Of the total amount of impacted acreage, 0.5 hectare (1.1 acres) will be temporarily disturbed.

Alternatives considered in addition to the Proposed Action, included waiting for the approval of the El Paso County Regional HCP, an increased impact alternative, and no action. The draft EA analyzes the onsite, off-site, and cumulative impacts of the proposed project and all associated development and construction activities and mitigation activities on the Preble's, other threatened or endangered species, vegetation, wildlife, wetlands, geology/soils, land use, water resources, air and water quality, or cultural resources.

An HCP has been developed as part of the preferred alternative which is proposed to offset impacts associated with construction of Preble's habitat. The proposed HCP will allow for the incidental take of the Preble's by permitting residential and commercial development to be constructed in an area that may be periodically used as foraging or hibernation habitat. The proposed action has been designed to minimize impacts to the riparian vegetation along Black Forest Creek and limits development to the highest elevations on the parcel. This will facilitate development on the property while minimizing, to the greatest extent practicable, impacts to Preble's habitat and waters of the United States. In addition, the proposed action includes extensive onsite conservation measures, as described in section 6.0 (HCP), to repair damage from current cattle grazing practices, poor watershed management upstream, and the heavy flood events. This will result in an overall improvement in the stability of the drainage, which will, in turn,

improve vegetation quality and diversity within the onsite Preble's habitat.

Onsite mitigation is planned for approximately 14.4 hectares (35.5 acres) with varying amounts of restoration, enhancement, and creation of onsite Preble's habitat as described in the HCP (see section 6.0). This results in a mitigation ratio of 2.168:1 for temporary impacts as well as permanent impacts. The mitigation will likely provide a net benefit to the Preble's and other wildlife by improving and creating new riparian areas, planting of native shrubs and grasses, and protecting existing habitat along Black Forest Creek from any future development.

To mitigate impacts that may result from incidental take, the HCP provides mitigation for the residential and commercial site by protection of the Black Forest Creek corridor onsite and its associated riparian areas from all future development. Of the 14.4 hectares (35.5 acres) of mitigation area, restoration and enhancement will occur on 8 hectares (20 acres) of upland areas and restoration will occur on 2 hectares (5 acres) of riparian areas. Restoration and enhancement will be achieved through planting and seeding of native woody, herbaceous, and grassy species, and a combination of removing grazing pressures and noxious weed control. Additionally, limited enhancement will occur on 3.3 hectares (8.1 acres) of uplands. Limited enhancement will consist of weed control and the removal of grazing to encourage existing native grass recovery. No seeding or planting will occur in these areas. Habitat creation will occur on an additional 1 hectare (2.5 acres) including an area proposed for a detention pond in the southwest corner of the property located outside of Preble's habitat and within a Preble's habitat buffer area currently occupied by ranch house outbuildings. Measures will be taken during construction to minimize impact to the habitat, including the use of silt fencing to reduce the amount of sediment from construction activities that reaches the creek. All of the proposed mitigation area is within the boundaries of the Struthers Ranch property, all of which is included in the drainage basin of Black Forest Creek.

The 14.4 hectares (35.5 acres) of undeveloped land along Black Forest Creek will be maintained as a preservation area with extensive

conservation measures to restore and enhance vegetation for local wildlife use.

This notice is provided pursuant to section 10(c) of the ESA. We will evaluate the permit application, the EA/HCP, and comments submitted therein to determine whether the application meets the requirements of section 10(a) of the ESA. If it is determined that those requirements are met, a permit will be issued for the incidental take of the Preble's in conjunction with the residential and commercial construction of Struthers Ranch. The final permit decision will be made no sooner than 60 days from the date of this notice.

Dated: June 18, 2003.

Paul E. Gertler,

Acting Regional Director, Region 6.

[FR Doc. 03-16838 Filed 7-2-03; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Issuance of Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of permit for marine mammals.

SUMMARY: The following permit was issued.

ADDRESSES: Documents and other information submitted with this application are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to: U.S. Fish and Wildlife Service, Division of Management Authority, 4401 North Fairfax Drive, Room 700, Arlington, Virginia 22203; fax 703/358-2281.

FOR FURTHER INFORMATION CONTACT: Division of Management Authority, telephone 703/358-2104.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on the date below, as authorized by the provisions of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*), the Fish and Wildlife Service issued the requested permit subject to certain conditions set forth therein.

Marine Mammals

Permit No.	Applicant	Receipt of application Federal Register notice	Permit issuance date
069177	Felix F. Gardina	68 FR 20020; April 23, 2003	June 9, 2003.
070369	Raymond A. Young	68 FR 20166; April 24, 2003	June 10, 2003.
740507	Alaska Science Center	68 FR 20166; April 24, 2003	June 20, 2003.