

application, see the **ADDRESSES** section, below.

DATES: Written comments should be received on or before August 20, 2003.

ADDRESSES: You may obtain a copy of the information available by contacting the Service's Regional Safe Harbor Coordinator, U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, Georgia 30345, or Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213.

Alternatively, you may set up an appointment to view these documents at either location during normal business hours. Written data or comments should be submitted to the Atlanta, Georgia, Regional Office. Requests for the documentation must be in writing to be processed, and comments must be written to be considered.

FOR FURTHER INFORMATION CONTACT: Mr. Rick Gooch, (telephone: 404/679-7124; facsimile: 404/679-7081), or Mr. Will McDearman (telephone: 601/965-4903 x 16; facsimile: 601/965-4340).

SUPPLEMENTARY INFORMATION:

Background

Under a Safe Harbor Agreement, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefitting species listed under the Endangered Species Act. Safe Harbor Agreements encourage private and other non-Federal property owners to implement conservation efforts for listed species by assuring property owners they will not be subjected to increased property-use restrictions if their efforts attract listed species to their property or increase the numbers or distribution of listed species already on their property. Application requirements and issuance criteria for enhancement of survival permits through Safe Harbor Agreements are found in 50 CFR 17.22 and 17.32.

We have worked with the Applicant to design and implement conservation measures to benefit the gopher tortoise and red-cockaded woodpecker. Portions of the Applicant's property currently are inhabited by the gopher tortoise. No red-cockaded woodpeckers currently reside on the property. Under the Agreement, the Applicant will restore and enhance habitat by the following actions: (1) Reduce tree density and canopy cover, increase sunlight on the forest floor, and maintain an open pine forest by thinning timber and prescribing frequent fire; (2) Plant and/or naturally regenerate longleaf pine; (3) Grow and maintain trees of sufficient size and quantity for suitable nesting and

foraging habitat for one or more groups of red-cockaded woodpeckers.

Consistent with the Safe Harbor Policy and implementing regulations, we propose to issue an enhancement of survival permit to the Applicant. The permit will authorize the incidental take of the gopher tortoise and red-cockaded woodpecker as a result of lawful activities on enrolled lands, as long as baseline conditions are maintained and terms of the Agreement are implemented. Future activities by the Applicant could return these species and habitat to baseline conditions.

We provide this notice pursuant to section 10(c) of the Endangered Species Act and the implementing regulations for the National Environmental Policy Act (40 CFR 1506.6). We will evaluate the proposed Agreement, associated documents, and submitted public comments to determine whether the requirements of section 10(a) of the Endangered Species Act and National Environmental Policy Act regulations are satisfied. Following the end of the 30-day public comment period, we will fully consider all comments received and make our final decision. If we determine that the requirements are met, we will issue an enhancement of survival permit under section 10(a)(1)(A) of the Endangered Species Act to the Applicant in accordance with the terms of the Agreement and specific terms and conditions of the authorizing permit.

Dated: July 3, 2003.

J. Mitch King,

Acting Regional Director.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM-030-1231-00]

Notice of Emergency Closure of Trails and Establishment of Visitor Restrictions for Acquired Land in Barr Canyon and Nichol's Canyon Special Recreation Management Areas, Las Cruces, NM

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Emergency closure of trails and establishment of visitor restrictions.

SUMMARY: Notice is hereby given that effective immediately, the Las Cruces Field Office is implementing the following closure of existing vehicle trails to use by any motorized vehicles and equipment, and establishing visitor

restrictions. The closures and restrictions are implemented in order to prevent resource degradation and protect the natural resource values of Barr Canyon (also known as Soledad property), Dona Ana County, and Nichol's Canyon, Grant County, New Mexico. The authority for these emergency closures and restrictions is 43 CFR 8364.1, Closure and Restriction Orders. The following rules will apply to public land users unless authorized by written permit or for administrative use.

1. Public land in T. 23 S., R. 3 E., Section 13, Barr Canyon (also known as Soledad property), Dona Ana County NM, totaling 423 acres.

- Parking is limited to the designated parking areas only. The normal restriction against parking within 300 yards of a manmade water source is waived. Parking along the BLM portion of Soledad Canyon Road is prohibited.

- Vehicle use is limited to the designated roads and parking lot. Vehicle speeds shall not exceed 15 miles per hour.

- The trail system east of the parking lot is limited to non-motorized uses only.

- The Barr Canyon area (also known as Soledad property) is limited to day use only. The entrance gate will be open from 8 a.m. to 5 p.m. daily.

- Campfires, fireworks, and discharge of firearms are prohibited.

- Pets are allowed, but must be leashed and restrained at all times. Livestock must be controlled by bridles, halters, and lead ropes.

2. Public land in T. 19 S., R 19 W., Section 18, Nichol's Canyon, Grant County, NM, totaling 360 acres.

- Vehicle use is limited to designated roads and trails to protect threatened and endangered species habitat, riparian, and other wildlife and recreational values, as well as the wilderness values of the Gila Lower Box Wilderness Study Area.

- Vehicles will be limited to the main road from the northwest to the BLM barn, and to the main road from the south to the bench under the cottonwood trees. Vehicles will be prohibited from the floodplain of the Gila River.

DATES: This closure is effective on the day that this notice is published in the **Federal Register**, and shall remain in effect until rescinded or modified by the authorized officer.

ADDRESSES: BLM, Las Cruces Field Office, 1800 Marquess, Las Cruces, New Mexico 88005

FOR FURTHER INFORMATION CONTACT: Jim Talent, Recreation/Cultural Team