

SUMMARY: This notice advises the public that the Fish and Wildlife Service (Service) intends to gather information for the preparation of an Environmental Impact Statement (EIS) for the reintroduction of grizzly bears to the Bitterroot ecosystem of central Idaho and western Montana. A series of public scoping sessions pertaining to development of the EIS will be held. Notices of the dates, times, and locations of these public opportunities will be advertised in local publications prior to the event. This notice is being furnished as required by the National Environmental Policy Act (NEPA) Regulations (40 CFR 1501.7) to obtain input from other agencies and the public on the scope of issues to be addressed in the EIS. Comments and participation in this scoping process will be solicited.

DATES: Written comments should be received by February 23, 1995.

ADDRESSES: Comments should be addressed to the Grizzly Bear Recovery Coordinator, U.S. Fish and Wildlife Service, P.O. Box 5127, Missoula, Montana 59806.

FOR FURTHER INFORMATION CONTACT: For further information contact Dr. Chris Servheen. (See **ADDRESSES** section) telephone 406/329-3223.

SUPPLEMENTARY INFORMATION: A chapter has been prepared and appended to the Grizzly Bear Recovery Plan that outlines reintroduction as the proposed method for recovery. Public involvement in the drafting of the chapter identified issues that include livestock depredation, effects on big game species/hunting, human health and safety, land use policy/restrictions, the role of the grizzly bear in the ecosystem (naturalness), economics, State and Federal authorities, private property rights, illegal killing/poaching, effects of grizzly bears on other species (such as listed salmon), and the size of the recovery area.

Preliminary alternatives suggested to date by the public include no action (natural recolonization from other populations), restriction of grizzly recovery to wilderness areas, grizzly recovery should include a very broad area, reintroduction of grizzly bears as an experimental population, and reintroduction of grizzly bears as a threatened species.

A scoping brochure is being prepared that details the EIS process, background information, issues identified to date, and how to become involved. Persons who previously requested grizzly recovery information will receive copies. Other interested people can obtain copies by writing to Bitterroot

Ecosystem Grizzly Bear EIS, U.S. Fish and Wildlife Service, P.O. Box 5127, Missoula, Montana 59806.

The Service, in cooperation with the Idaho Fish and Game Department, U.S. Forest Service, and the Montana Department of Fish, Wildlife and Parks, is proposing to recover grizzly bears (*Ursus arctos horribilis*) in east-central Idaho and extreme western Montana by reintroducing them to the bitterroot Mountains area of Idaho. Introduced grizzly bears and their resultant offspring would be classified as nonessential experimental under section 10(j) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*) Proposed is the release of four to six bears per year for 5 years. All bears would be released within established wilderness boundaries in Idaho and would be comprised primarily of younger-aged animals. Bears with no previous known conflict with humans would be captured and moved to the area from either southeastern British Columbia or northwestern Montana. All released bears would be ear-tagged for individual identification and fitted with radio collars so their movements could be monitored. Bears would be located twice weekly (weather permitting) for the life of the radio collars (approximately 3 years). The current status and location of transplanted bears would be relayed weekly to the public through various media contacts. Any bear coming into conflict with people would be dealt with under protocol established by the Interagency Grizzly Bear Committee or under guidelines identified and included as special rules as stated in section 10(j) of the Act for experimental populations. Public participation in the writing of special rules that will govern both the grizzly bear and habitat management would be conducted and encouraged following NEPA guidelines. If approved, the relocation of grizzly bears should begin as early as 1996.

The grizzly bear was once a widespread inhabitant of the Bitterroot Ecosystem in central Idaho and western Montana. Grizzly bears were removed from the Bitterroot area by humans as they settled the West, primarily for the protection of livestock. The last documented grizzly bear was killed in the 1930's, although occasional, unverified reports persist. In 1975, the grizzly bear was listed as threatened in the 48 contiguous States under the Act, which directs Federal agencies to take necessary actions to recover threatened or endangered species. The recovery of grizzly bears in the Bitterroot ecosystem could potentially increase the number of

grizzly bears south of Canada by 30-35 percent. In addition, it could potentially provide an important genetic link for grizzly bears between the Cabinet/Yaak, Northern Continental Divide, and Yellowstone ecosystems.

The decision to be made includes whether to implement the proposed action as described above, whether to vary the method or number of bears to be relocated, determining the status under which grizzly bears will be recovered, determine the area in which recovery will be pursued or allowed to occur, and determine which special rules will be adopted as identified through the public participation process.

The Service estimates that the draft EIS will be available for public review and comment by December 1995.

Dated: December 29, 1994.

Ralph O. Morgenweck,
Regional Director, Region 6.
[FR Doc. 95-400 Filed 1-6-95; 8:45 am]

BILLING CODE 4310-55-M

Availability of an Environmental Assessment and Receipt of an Application for an Incidental Take Permit from Mr. D. Gregory Luce, in Baldwin County, AL

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: Mr. D. Gregory Luce (Applicant), has applied to the Fish and Wildlife Service (Service) for an incidental take permit pursuant to Section 10(a)(1)(B) of the Endangered Species Act (Act). The proposed permit would authorize for a period of 20 years the incidental take of an endangered species, the Alabama beach mouse (*Peromyscus polionotus ammobates*), known to occupy lands owned by the Applicant in Gulf Shores, Baldwin County, Alabama. The Application proposed to construct and use a single family residence on a 1.21-acre privately owned lot within the Bon Secour National Wildlife Refuge. The lot is located approximately 7.5 miles west of Gulf Shores, Alabama, at Pine Beach, near the western end of Little Lagoon, between the lagoon and the Gulf shoreline.

The Service also announces the availability of an environmental assessment (EA) and habitat conservation plan (HCP) for the incidental take application. Copies of the EA or HCP may be obtained by making requests to the addresses below. The Service is soliciting data on *Peromyscus polionotus ammobates* in

order to assist in the requirement of the intra-Service consultation. This notice also advises the public that the Service has made a preliminary determination that issuing the incidental take permit is not a major Federal action significantly affecting the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969, as amended. The Finding of No Significant Impact is based on information contained in the EA and HCP. The final determination will be made no sooner than 30 days from the date 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 permit application, EA and HCP should be received on or before February 8, 1995.

ADDRESSES: Persons wishing to review the application may obtain a copy by writing the Service's Southeast Regional Office, Atlanta, Georgia. Persons wishing to review the EA or HCP may obtain a copy by writing the Regional Office or the Jackson, Mississippi, Field Office. Documents will also be available for public inspection, by appointment, during normal business hours at the Regional Office, or the Field Office. Written data or comments concerning the application, EA, or HCP should be submitted to the Regional Office. Please reference permit under PRT-797979 in such comments.

Regional Permit Coordinator (TE), U.S. Fish and Wildlife Service, 1875 Century Boulevard, suite 210, Atlanta, Georgia 30345, (telephone 404/679-7110, FAX 404/679-7081).

Field Supervisor, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, suite A, Jackson, Mississippi 39213 (telephone 601/965-4900, FAX 601/965-4340).

FOR FURTHER INFORMATION CONTACT: Will McDearman at the above Jackson, Mississippi, Field Office.

SUPPLEMENTARY INFORMATION: The Alabama beach mouse (ABM), *Peromyscus polionotus ammobates*, is a subspecies of the common old-field mouse *Peromyscus polionotus* and is restricted to the dune systems of the Gulf Coast of Alabama. The known current range of ABM extends from Fort Morgan eastward to the western terminus of Alabama Highway 182, including the Perdue Unit on the Bon Secour National Wildlife Refuge. The sand dune systems inhabited by this species are not uniform; several habitat types are distinguishable. The species inhabits primary dunes, interdune areas, secondary dunes, and scrub dunes. The

depth and area of these habitats from the beach inland varies. Population surveys indicate that this subspecies is usually more abundant in primary dunes than in secondary dunes, and usually more abundant in secondary dunes than in scrub dunes. Optimal habitat consists of dune systems with all dune types. Though fewer ABM inhabit scrub dunes, these high dunes can serve as refugia during devastating hurricanes that overwash, flood, and destroy or alter secondary and frontal dunes. ABM surveys have not been conducted on the Applicant's property. The ABM occupied adjacent and nearby dunes of the Bon Secour National Wildlife Refuge. Suitable habitat in the form of secondary and scrub dunes exist on the Applicant's property. These habitats are likely to be occupied by ABM. None of the Applicant's property resides in designated critical habitat for the ABM. Construction of the single family residence on about 0.1-0.2 acres of the Applicant's property may result in the death of, or injury to, ABM. Habitat alterations due to house placement and its subsequent use may reduce available habitat for food, shelter, and reproduction.

The EA considers the environmental consequences of three alternatives. The proposed action alternative is the issuance of the incidental take permit. This provided for restrictions that include house placement landward of the frontal crest of the scrub dune line, establishment of a walkover structure across that scrub dune, a prohibition against housing or keeping pet cats, scavenger-proof garbage containers, no landscaping, and the minimization and control of outdoor lighting. The HCP provides a funding source for these mitigation measures.

Dated: December 30, 1994.

John T. Brown,

Acting Regional Director.

[FR Doc. 95-422 Filed 1-6-95; 8:45 am]

BILLING CODE 4310-55-P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32419]

Consolidated Rail Corporation— Acquisition of Control and Merger— Pittsburgh, Chartiers & Youghiogheny Railway Company

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission, under 49 U.S.C. 10505, exempts from the prior

approval requirements of 49 U.S.C. 11343, *et seq.*, the acquisition by Consolidated Rail Corporation (Conrail), of control of the Pittsburgh, Chartiers & Youghiogheny Railway Company (PC&Y) and PC&Y's merger into Conrail, subject to standard employee protective conditions.

DATES: This exemption is effective on February 8, 1995. Petitions to stay must be filed by January 24, 1995 and petitions to reopen must be filed by February 3, 1995.

ADDRESSES: Send pleadings referring to Finance Docket No. 32419 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Anne E. Treadway, 2001 Market Street, 16-A, Two Commerce Square, Philadelphia, PA 19101-1416.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927-5610. [TDD for the hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dynamic Concepts, Inc., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: December 21, 1994.

By the Commission, Chairman McDonald, Vice Chairman Morgan, and Commissioners Simmons and Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 95-415 Filed 1-6-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32651]

Eastern Maine Railway Company, J.D. Irving, Limited and New Brunswick Railway Company—Petition for Disclaimer of Jurisdiction or, Alternatively, for an Exemption From 49 U.S.C. 11343(a)(5)

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: The Commission, finds jurisdiction and, under 49 U.S.C. 10505, exempts from the prior approval requirements of 49 U.S.C. 11343-11345, the continuance in control by petitioners of Eastern Maine Railway Company (Eastern Maine) upon Eastern Maine becoming a rail common carrier.