

**ACTION:** Notice of availability; request for comment/information.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) application and a Habitat Conservation Plan (HCP). Palmetto Lake Hamilton—Highway 17, LLC (the applicant) requests an ITP under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 1.71 acres of sand skink (*Neopseps reynoldsi*) and bluetail mole skink (*Eumeces egregius lividus*) (skinks) foraging, breeding, and sheltering habitat incidental to land preparation and construction of a Dollar General Store, including a storm water retention area and parking lot, in Polk County, Florida (project). The applicant's HCP describes the mitigation and minimization measures proposed to address the effects of the project on the skinks.

**DATES:** We must receive your written comments on the ITP application and HCP on or before February 21, 2013.

**ADDRESSES:** See the **SUPPLEMENTARY INFORMATION** section below for information on how to submit your comments on the ITP application and HCP. You may obtain a copy of the ITP application and HCP by writing the South Florida Ecological Services Office, Attn: Permit number TE92046A-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559. In addition, we will make the ITP application and HCP available for public inspection by appointment during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Elizabeth Landrum, Fish and Wildlife Biologist, South Florida Ecological Services Office (see **ADDRESSES**); telephone: 772-469-4304.

**SUPPLEMENTARY INFORMATION:**

**Submitting Comments**

If you wish to comment on the ITP application and HCP, you may submit comments by any one of the following methods:

*Email:* Elizabeth\_Landrum@fws.gov. Use Attn: Permit number "TE92046A-0" as your message subject line.

*Fax:* Elizabeth Landrum, 772-562-4288, Attn.: Permit number "TE92046A-0."

*U.S. mail:* Elizabeth Landrum, South Florida Ecological Services Field Office, Attn: Permit number "TE92046A-0", U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559.

*In-person drop-off:* You may drop off information during regular business hours at the above office address.

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Applicant's Proposed Project**

We received an application from Palmetto Lake Hamilton—Highway 17, LLC (the applicant) for an incidental take permit along with a proposed habitat conservation plan. The applicant requests a 2-year permit under section 10(a)(1)(B) of the Act (87 Stat. 884; 16 U.S.C. 1531 *et seq.*). If we approve the permit, the applicant anticipates taking a total of approximately 1.71 acres (0.69 hectares (ha)) of sand and blue-tailed mole skink breeding, feeding, and sheltering habitat incidental to land preparation and construction of a Dollar General Store, including a storm water retention area and parking lot, in Polk County, Florida. Construction activities associated with the Dollar General Store will take place within Section 21, Township 28S, Range 27E, Polk County, Florida.

The applicant proposes to mitigate for impacts by purchasing approximately 3.42 mitigation bank credits at the Scrub Conservation Bank in Highlands County, Florida, a Bank within the service area of skinks. The Service listed this species as threatened in 1987 (January 21, 1987; 52 FR 2242). The listing became effective December 7, 1987.

**Our Preliminary Determination**

The Service has made a preliminary determination that the applicant's project, including the mitigation measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, issuance of the ITP is a "low-effect" project and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). We base our preliminary determination that issuance of the ITP qualifies as a low-effect action on the following three criteria: (1) Implementation of the project would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2)

Implementation of the project would result in minor or negligible effects on other environmental values or resources; and (3) Impacts of the project, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources that would be considered significant. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

**Next Steps**

The Service will evaluate the HCP and comments submitted thereon to determine whether the applications meet the requirements of section 10(a) of the Act. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP. If it is determined that the requirements of the Act are met, the ITP will be issued.

**Authority**

We provide this notice under Section 10 of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: January 15, 2013.

**Larry Williams,**

*Field Supervisor, South Florida Ecological Services Office.*

[FR Doc. 2013-01168 Filed 1-18-13; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R6-ES-2013-N003;  
FXES1113060000D2-123-FF06E00000]

**Endangered and Threatened Wildlife and Plants; Recovery Permit Applications**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered or threatened species. The Endangered Species Act of 1973, as amended (Act), prohibits activities with endangered and threatened species

unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing these permits.

**DATES:** To ensure consideration, please send your written comments by February 21, 2013.

**ADDRESSES:** You may submit comments or requests for copies or more information by any of the following methods. Alternatively, you may use one of the following methods to request hard copies or a CD-ROM of the documents. Please specify the permit you are interested in by number (e.g., Permit No. TE-123456).

- *Email:* [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov). Please refer to the respective permit number (e.g., Permit No. TE-123456) in the subject line of the message.

- *U.S. Mail:* Kris Olsen, Permit Coordinator, Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486-DFC, Denver, CO 80225.

- *In-Person Drop-off, Viewing, or Pickup:* Call (303) 236-4256 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

**FOR FURTHER INFORMATION CONTACT:** Kris Olsen, Permit Coordinator Ecological Services, (303) 236-4256 (phone); [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov) (email).

**SUPPLEMENTARY INFORMATION:**

**Background**

The Act (16 U.S.C. 1531 *et seq.*) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR 17, the Act provides for permits, and requires that we invite public comment before issuing these permits.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes applicants to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

**Applications Available for Review and Comment**

We invite local, State, and Federal agencies, and the public to comment on the following applications. Please refer

to the appropriate permit number (e.g., Permit No. TE-123456) for the application when submitting comments.

Documents and other information the applicants have submitted with these applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

**Permit Application Number: TE-89150A**

*Applicant:* Philip Balch, Wildhorse Riverworks, Topeka, Kansas.

The applicant requests a new permit to take (capture, handle, and release) Arkansas River darter (*Notropis girardi*), Neosho madtom (*Noturus placidus*), and Topeka shiner (*Notropis topeka*), in conjunction with habitat restoration activities throughout the range of each species in Kansas, for the purpose of enhancing the species' survival.

**Permit Application Number: TE-038527**

*Applicant:* Scott Campbell, University of Kansas, Kansas Biological Survey, Lawrence, Kansas.

The applicant requests a new permit to take (hold, propagate, and reintroduce) Topeka shiner (*Notropis topeka*), in conjunction with recovery activities in Kansas for the purpose of enhancing the species' survival.

**Permit Application Number: TE-94140A**

*Applicant:* Shawn Silliman, Chaplin Nature Center, Arkansas City, Kansas.

The applicant requests a new permit to take (survey, capture, and tag) American burying beetle (*Nicrophorus americanus*) in conjunction with surveys and population monitoring activities in Kansas for the purpose of enhancing the species' survival.

**National Environmental Policy Act (NEPA)**

In compliance with NEPA (42 U.S.C. 4321 *et seq.*), we have made an initial determination that the proposed activities in these permits are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

**Public Availability of Comments**

All comments and materials we receive in response to this request will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

Before including your address, phone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

**Authority**

We provide this notice under section 10 of the Act (16 U.S.C. 1531 *et seq.*)

Dated: January 4, 2013.

**Michael G. Thabault,**

*Assistant Regional Director, Mountain-Prairie Region.*

[FR Doc. 2013-01170 Filed 1-18-13; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R4-R-2012-N187;  
FXRS1265040000S3-123-FF04R02000]

**Chassahowitzka National Wildlife Refuge, FL; Final Comprehensive Conservation Plan and Finding of No Significant Impact for the Environmental Assessment**

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of the final comprehensive conservation plan (CCP) and finding of no significant impact for the environmental assessment for Chassahowitzka National Wildlife Refuge (NWR) in Citrus and Hernando Counties, Florida. In the final CCP, we describe how we will manage this refuge for the next 15 years.

**ADDRESSES:** You may obtain a copy of the CCP by writing to: Mr. Michael Lusk via U.S. mail at Chassahowitzka National Wildlife Refuge, 1502 SE. Kings Bay Drive, Crystal River, FL 34429. Alternatively, you may download the document from our Internet Site, <http://southeast.fws.gov/planning>, under "Final Documents."

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Morris, at 850-567-6202 (telephone), or [crystalriverCCP@fws.gov](mailto:crystalriverCCP@fws.gov) (email).

**SUPPLEMENTARY INFORMATION:**

**Introduction**

With this notice, we finalize the CCP process for Chassahowitzka NWR. We