

## Required Determinations

### *National Environmental Policy Act (NEPA)*

We have prepared a draft Environmental Assessment (EA) (see **ADDRESSES**) in accordance with the NEPA (42 U.S.C. 4321 *et seq.*). We have preliminarily concluded that approval and issuance of an authorization for the nonlethal, incidental, unintentional take by Level B harassment of small numbers of Pacific walrus in Alaska during cable-laying activities conducted by Quintillion would not significantly affect the quality of the human environment, and that the preparation of an environmental impact statement for these actions is not required by section 102(2) of NEPA or its implementing regulations.

### *Endangered Species Act*

Under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) all Federal agencies are required to ensure the actions they authorize are not likely to jeopardize the continued existence of any threatened or endangered species or result in destruction or adverse modification of critical habitat. The range-wide status of Pacific walrus was reviewed in response to a 2008 petition to list this species. On February 10, 2011 (76 FR 7634), the listing of walrus was found to be warranted, but precluded due to higher priority listing actions (*i.e.*, walrus is a candidate species). Consistent with established agency policy, the Service's Ecological Service program will evaluate whether the effects of the proposed activities will jeopardize the continued existence of the Pacific walrus prior to issuance of an IHA. Our evaluation and finding will be made available on the Service's Web site at <http://www.fws.gov/alaska/fisheries/mmm/iha.htm>.

### *Government-to-Government Relations With Native American Tribal Governments*

In accordance with the President's memorandum of April 29, 1994, "Government to Government Relations with Native American Tribal Governments" (59 FR 22951), Executive Order 13175, Department of the Interior Secretarial Order 3225 of January 19, 2001 (Endangered Species Act and Subsistence Uses in Alaska (Supplement to Secretarial Order 3206)), Department of the Interior Secretarial Order 3317 of December 1, 2011 (Tribal Consultation and Policy), Department of the Interior Memorandum of January 18, 2001 (Alaska Government-to-Government Policy), the Department of

the Interior's manual at 512 DM 2, and the Native American Policy of the U.S. Fish and Wildlife Service, dated January 20, 2016, we acknowledge our responsibility to communicate and work directly on a Government-to-Government basis with federally recognized Alaska Natives Tribes in developing programs for healthy ecosystems, to seek their full and meaningful participation in evaluating and addressing conservation concerns for listed species, to remain sensitive to Alaska Native culture, and to make information available to Alaska Natives.

Furthermore, and in accordance with Department of the Interior Policy on Consultation with Alaska Native Claims Settlement Act of 1971 (ANCSA) Corporations, dated August 10, 2012, we likewise acknowledge our responsibility to communicate and work directly with ANCSA Corporations in evaluating and addressing conservation concerns for listed species, to remain sensitive to Alaska Native culture, and to make information available to ANCSA Corporations.

We have evaluated possible effects of the proposed activities on federally recognized Alaska Native Tribes. Through the IHA process identified in the MMPA, the applicant presented a communication process, culminating in a POC with the Native communities most likely to be affected, and engaged these communities in numerous informational meetings.

To facilitate co-management activities, the Service maintains cooperative agreements with the EWC and the Qayassiq Walrus Commission (QWC). The cooperative agreements fund a wide variety of management issues, including co-management operations, biological sampling programs, harvest monitoring, collection of Native knowledge in management, international coordination on management issues, cooperative enforcement of the MMPA, and development of local conservation plans. To help realize mutual management goals, the Service, EWC, and QWC hold meetings to discuss future expectations and outline a shared vision of co-management.

Through various interactions and partnerships, we have determined that the issuance of this proposed IHA is appropriate. We invite continued discussion about improving our coordination and information exchange, including through the IHA/POC process, as may be requested by Tribes or other Native groups.

## Proposed Authorization

The Service proposes to issue an IHA for the nonlethal, incidental, unintentional take by Level B harassment of small numbers of Pacific walrus during cable-laying activities in the marine waters of Alaska and impacted coastal communities, as described in this document and in the applicant's petition. We neither anticipate nor propose authorization for intentional take or take by injury or death. The final IHA would be effective immediately after the date of issuance through November 15, 2016.

The final IHA would also incorporate the mitigation, monitoring, and reporting requirements described in this proposal. The applicant would be expected and required to implement and fully comply with those requirements. If the nature or level of activity changes or exceeds that described in this proposal and in the IHA petition, or the nature or level of take exceeds that projected in this proposal, the Service will reevaluate its findings. The Secretary may modify, suspend, or revoke the authorization if the findings are not accurate or the mitigation, monitoring, and reporting requirements described herein are not being met.

Dated: June 3, 2016.

**Brian S. Glaspell,**

*Acting Regional Director, Alaska Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

**[FWS-R7-MB-2016-N0109; FF09M21200-156-FXMB1231099BPP0]**

### Information Collection Request Sent to the Office of Management and Budget (OMB) for Approval; Alaska Migratory Bird Subsistence Harvest Household Survey

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

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

**SUMMARY:** We (U.S. Fish and Wildlife Service) have sent an Information Collection Request (ICR) to OMB for review and approval. We summarize the ICR below and describe the nature of the collection and the estimated burden and cost. This information collection is scheduled to expire on June 30, 2016. We may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control

number. However, under OMB regulations, we may continue to conduct or sponsor this information collection while it is pending at OMB.

**DATES:** You must submit comments on or before July 25, 2016.

**ADDRESSES:** Send your comments and suggestions on this information collection to the Desk Officer for the Department of the Interior at OMB–OIRA at (202) 395–5806 (fax) or *OIRA\_Submission@omb.eop.gov* (email). Please provide a copy of your comments to the Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275

Leesburg Pike, Falls Church, VA 22041–3803 (mail), or *hope\_grey@fws.gov* (email). Please include “1018–0124” in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Hope Grey at *hope\_grey@fws.gov* (email) or 703–358–2482 (telephone). You may review the ICR online at <http://www.reginfo.gov>. Follow the instructions to review Department of the Interior collections under review by OMB.

**SUPPLEMENTARY INFORMATION:**

**Information Collection Request**

*OMB Control Number:* 1018–0124.  
*Title:* Alaska Migratory Bird Subsistence Harvest Household Survey.  
*Service Form Number(s):* 3–2380, 3–2381–1, 3–2381–2, 3–2381–3, and 3–2381–4.

*Type of Request:* Extension of a currently approved collection.  
*Description of Respondents:* Households within subsistence eligible areas of Alaska.  
*Respondent’s Obligation:* Voluntary.  
*Frequency of Collection:* Annually for Tracking Sheet and Household Consent; three times annually for Harvest Report.

Activity	Number of respondents	Number of responses	Completion time per response (minutes)	Total annual burden hours
3–2380, Tracking Sheet and Household Consent .....	2,553	2,553	5	213
3–2381–1 thru 3–2381–4, Harvest Report (three seasonal sheets) .....	2,300	6,900	5	575
<b>Totals .....</b>	<b>4,853</b>	<b>9,453</b>	<b>.....</b>	<b>788</b>

*Abstract:* The Migratory Bird Treaty Act of 1918 (16 U.S.C. 703–712) and the Fish and Wildlife Act of 1956 (16 U.S.C. 742d) designate the Department of the Interior as the key agency responsible for managing migratory bird populations that frequent the United States and for setting harvest regulations that allow for the conservation of those populations. These responsibilities include gathering accurate geographical and temporal data on various characteristics of migratory bird harvest. We use harvest data to review regulation proposals and to issue harvest regulations.

The Migratory Bird Treaty Act Protocol Amendment (1995) (Amendment) provides for the customary and traditional use of migratory birds and their eggs for subsistence use by indigenous inhabitants of Alaska. The Amendment states that its intent is not to cause significant increases in the take of species of migratory birds relative to their continental population sizes. A submittal letter from the Department of State to the White House (May 20, 1996) accompanied the Amendment and specified the need for harvest monitoring. The submittal letter stated that the Service, the Alaska Department of Fish and Game (ADF&G), and Alaska Native organizations would collect harvest information cooperatively within the subsistence eligible areas. Harvest survey data help to ensure that customary and traditional subsistence uses of migratory birds and their eggs by indigenous inhabitants of Alaska do not significantly increase the take of species

of migratory birds relative to their continental population sizes.

Between 1989 and 2004, we monitored subsistence harvest of migratory birds using annual household surveys in the Yukon-Kuskokwim Delta, which is the region of highest subsistence bird harvest in the State of Alaska. In 2004, we began monitoring subsistence harvest of migratory birds in subsistence eligible areas Statewide. The Statewide harvest assessment program helps to track trends and changes in levels of harvest. The harvest assessment program relies on collaboration among the Service, the ADF&G, and a number of Alaska Native organizations.

We gather information on the annual subsistence harvest of about 60 bird species/species categories (ducks, geese, swans, cranes, upland game birds, seabirds, shorebirds, and grebes and loons) in the subsistence eligible areas of Alaska. The survey covers 11 regions of Alaska, which are further divided into subregions. We survey the regions and villages in a rotation schedule to accommodate budget constraints and to minimize respondent burden. The survey covers spring, summer, and fall harvest in most regions.

In collaboration with Alaska Native organizations, we hire local resident surveyors to collect the harvest information. The surveyors list all households in the villages to be surveyed and provide survey information and harvest report forms to randomly selected households that have agreed to participate in the survey. To

ensure anonymity of harvest information, we identify households by a numeric code. The surveyor visits households three times during the survey year. At the first household visit, the surveyor explains the survey purposes and invites household participation. The surveyor returns at the end of the season of most harvest and at the end of the two other seasons combined to help the household complete the harvest report form.

We have designed the survey methods to streamline procedures and reduce respondent burden. We use the following forms for household participation:

- FWS Form 3–2380 (Tracking Sheet and Household Consent). The surveyor visits each household selected to participate in the survey to provide information on the objectives and to obtain household consent to participate. The surveyor uses this form to record consent and track subsequent visits for completion of harvest reports.
- FWS Forms 3–2381–1, 3–2381–2, 3–2381–3, and 3–2381–4 (Harvest Report). The Harvest Report has drawings of bird species most commonly available for harvest in the different regions of Alaska, with fields for writing down the numbers of birds and eggs taken. There are four versions of this form: Interior Alaska, North Slope, Southern Coastal Alaska, and Western Alaska. This form has a sheet for each season surveyed, and each sheet has fields for the household code, community name, harvest year, date of completion, and comments.

**Comments Received and Our Responses**

*Comments:* On December 3, 2015, we published in the **Federal Register** (80 FR 75685) a notice of our intent to request that OMB renew approval for this information collection. In that notice, we solicited comments for 60 days, ending on February 1, 2016. We did not receive any comments.

**Request for Public Comments**

We again invite comments concerning this information collection on:

- Whether or not the collection of information is necessary, including whether or not the information will have practical utility;
- The accuracy of our estimate of the burden for this collection of information;
- Ways to enhance the quality, utility, and clarity of the information to be collected; and
- Ways to minimize the burden of the collection of information on respondents.

Comments that you submit in response to this notice are a matter of public record. 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 OMB and us in your comment to withhold your personal identifying information from public review, we cannot guarantee that it will be done.

Dated: June 17, 2016.

**Tina A. Campbell,**

*Chief, Division of Policy, Performance, and Management Programs, U.S. Fish and Wildlife Service.*

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**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

**[FWS-R8-ES-2016-N079;  
FXES1112080000-156-FF08EVEN00]**

**Low-Effect Habitat Conservation Plan  
for the Morro Shoulderband Snail;  
Mammen Parcel, Community of Los  
Osos, San Luis Obispo County,  
California**

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received

an application from Renee and Kurt Mammen for a 10-year incidental take permit (ITP) under the Endangered Species Act of 1973, as amended. The application addresses the potential for “take” of the federally endangered Morro shoulderband snail likely to result incidental to the construction and maintenance of a single-family residence on an existing legal parcel, associated infrastructure, and use of an existing access road in the unincorporated community of Los Osos, San Luis Obispo County, California. We invite comments from the public on the application package, which includes a draft low-effect habitat conservation plan (HCP) and draft low-effect screening form and environmental action statement, which constitutes our proposed National Environmental Policy Act (NEPA) compliance.

**DATES:** To ensure consideration, please send your written comments by July 25, 2016.

**ADDRESSES:** You may download a copy of the draft HCP and draft low-effect screening form and environmental action statement on the internet at <http://www.fws.gov/ventura/>, or you may request copies of the documents by U.S. mail to our Ventura office, or by phone (see **FOR FURTHER INFORMATION CONTACT**). Please address written comments to Stephen P. Henry, Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003. You may alternatively send comments by facsimile to (805) 644-3958.

**FOR FURTHER INFORMATION CONTACT:** Julie M. Vanderwier, Senior Fish and Wildlife Biologist, at the Ventura office address or by phone at (805) 644-1766.

**SUPPLEMENTARY INFORMATION:** We have received an application for an incidental take permit (ITP) pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act; 16 U.S.C. 1531 *et seq.*). The application addresses take of the federally endangered Morro shoulderband snail (*Helminthoglypta walkeriana*) likely to occur incidental to the construction and maintenance of a single-family residence and associated infrastructure and use of an existing access road. The requested permit term is 10 years and the permit would be subject to renewal. We invite comments from the public on the application package. Issuance of an ITP pursuant to this HCP has been determined to be eligible for a categorical exclusion under NEPA.

**Background**

The Morro shoulderband snail was listed as endangered on December 15, 1994 (59 FR 64613). Section 9 of the Act and its implementing regulations (16 U.S.C. 1531 *et seq.*) prohibit the take of fish or wildlife species listed as endangered or threatened. Under the Act, “take” is defined to include the following activities: “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532). Under section 10(a)(1)(B) of the Act, we may issue permits to authorize take of listed species if it is incidental to other lawful activities and not the purpose of carrying out that activity. The Code of Federal Regulations provides those regulations governing incidental take permits for threatened and endangered species at 50 CFR 17.32 and 17.22. Issuance of an incidental take permit must not jeopardize the existence of any federally listed fish, wildlife or plant species.

**The Applicant’s Proposed Project**

The project involves the construction and maintenance of a single-family residence and associated infrastructure along with use of an existing access road to a legal parcel in the Bayview Heights subdivision of Los Osos, County of San Luis Obispo, California. The HCP provides the support necessary for the Service to issue an incidental take permit (ITP) that would authorize take, in this instance, of the Morro shoulderband snail (*Helminthoglypta walkeriana*). The County of San Luis Obispo requires demonstration that the property owner is in compliance with the Endangered Species Act of 1973, as amended (Act) as part of their permitting requirements.

The draft HCP contains two alternatives to the proposed action: “No Action” and “Project Redesign.” Under the “No Action” alternative, an ITP for the Mammen single-family residence would not be issued. The Mammen single-family residence could not legally be built and the mitigation fee would not be available to contribute to recovery actions for Morro shoulderband snail. Since the property is privately owned, there are ongoing economic considerations (*e.g.*, payment of property taxes) associated with continued ownership of a property and its intended use. The sale of the property for purposes (*e.g.*, as a conservation easement) other than the identified activity is not economically feasible. For these reasons, the “No Action” alternative has been rejected.