

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R4-ES-2017-N080;
FXES11140400000-178-FF04E00000]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (Act) prohibits activities with listed species unless a Federal permit is issued that allows such activities. The Act requires that we invite public comment before issuing these permits.

DATES: We must receive written data or comments on the applications at the address given in **ADDRESSES** by September 14, 2017.

ADDRESSES: *Reviewing Documents:* Documents and other information submitted with the applications 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 the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service Regional Office, Ecological Services, 1875 Century Boulevard, Atlanta, GA 30345 (Attn: Karen Marlowe, Permit Coordinator).

Submitting Comments: If you wish to comment, you may submit comments by any one of the following methods:

- *U.S. mail or hand-delivery:* U.S. Fish and Wildlife Service's Regional Office (see above).
- *Email:* permitsR4ES@fws.gov.

Please include your name and return address in your email message. If you do not receive a confirmation from the U.S. Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed in **FOR FURTHER INFORMATION CONTACT**.

FOR FURTHER INFORMATION CONTACT: Karen Marlowe, Permit Coordinator, (404) 679-7097 (telephone) or (404) 679-7081 (fax).

SUPPLEMENTARY INFORMATION: We invite review and comment from local, State,

and Federal agencies and the public on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; Act), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. With some exceptions, the Act prohibits activities with listed species unless a Federal permit is issued that allows such activities. The Act requires that we invite public comment before issuing these permits.

Public Availability of Comments

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.

Permit Applications

| Permit application No. | Applicant | Species/numbers | Location | Activity | Type of take | Permit action |
|------------------------|---|---|--|---|--|---------------|
| TE 38792A-2 | U.S. Army, Fort Gordon, Fort Gordon, GA. | Red-cockaded woodpecker (<i>Picoides borealis</i>)/Unlimited. | Ft. Gordon, Ft. Stewart, and Ft. Benning, GA; Apalachicola and Ocala National Forests, FL; Fort Bragg, NC. | Population enhancement, management, and monitoring. | Construct and install artificial nest cavities and restrictors; monitor nest cavities; capture, band, and translocate. | Renewal. |
| TE 55292B-1 | University of Florida, Gainesville, FL. | Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)/Unlimited. | Florida | Demographic and movement studies. | Capture, band, mark, radio-tag, measure, collect feather samples, release, and monitor. | Renewal. |
| TE 069280-5 | Alabama Department of Transportation, Montgomery, AL. | Alabama beach mouse (<i>Peromyscus polionotus ammobates</i>)/Unlimited. | Alabama | Presence/absence surveys. | Capture, examine, and release. | Renewal. |
| TE 28975C-0 | Bruce Stallsmith, Univ. of Alabama in Huntsville, Huntsville, AL. | Palezone shiner (<i>Notropis albizonatus</i>)/50 individuals. | Alabama, Kentucky ... | DNA analyses for research on genetic diversity. | Capture, collect fin clips, and release. | New. |
| TE 055241-3 | Robert Montgomery, Dare County Bomb Range, Stumpy Point, NC. | Red-cockaded woodpecker (<i>Picoides borealis</i>)/Unlimited. | North Carolina | Population enhancement, management, and monitoring. | Construct and install artificial nest cavities and restrictors; monitor nest cavities; capture, band, and translocate. | Renewal. |

| Permit application No. | Applicant | Species/numbers | Location | Activity | Type of take | Permit action |
|------------------------|---|--|--|---------------------------|---|------------------------|
| TE 30733C-0 | Marissa Thalken, Aurora, CO. | Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), and northern long-eared bat (<i>M. septentrionalis</i>)/Unlimited. | Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, West Virginia, and Wisconsin. | Presence/absence surveys. | Mist-net, harp trap, handle, band, radiotag, wing-punch, and release. | New. |
| TE 063179-6 | Edwards-Pitman Environmental, Inc., Smyrna, GA. | Amber darter (<i>Percina antesella</i>), blue shiner (<i>Cyprinella caerulea</i>), Cherokee darter (<i>Etheostoma scotti</i>), Conasauga logperch (<i>Percina jenkinsi</i>), Etowah darter (<i>Etheostoma etowahae</i>), goldline darter (<i>Percina aurolineata</i>), snail darter (<i>Percina tanasi</i>), Alabama moccasinshell (<i>Medionidus acutissimus</i>), Altamaha spinymussel (<i>Elliptio spinosa</i>), Carolina heelsplitter (<i>Lasmigona decorata</i>), Choctaw bean (<i>Villosa choctawensis</i>), Coosa moccasinshell (<i>Medionidus parvulus</i>), fat threeridge (<i>Amblema neislerii</i>), fine-lined pocketbook (<i>Lampsilis altilis</i>), fuzzy pigtoe (<i>Pleurobema strodeanum</i>), Georgia pigtoe (<i>Pleurobema hanleyianum</i>), Gulf moccasinshell (<i>Medionidus penicillatus</i>), narrow pigtoe (<i>Fusconaia escambia</i>), Ochlockonee moccasinshell (<i>Medionidus simpsonianus</i>), orangenacre mucket (<i>Lampsilis perovalis</i>), oval pigtoe (<i>Pleurobema pyriforme</i>), ovate clubshell (<i>Pleurobema perovatum</i>), purple bankclimber (<i>Elliptoideus sloatianus</i>), round ebonyshell (<i>Fusconaia rotulata</i>), shiny-rayed pocketbook (<i>Lampsilis subangulata</i>), southern acornshell (<i>Epioblasma othcaloogensis</i>), southern clubshell (<i>Pleurobema decisum</i>), southern combshell (<i>Epioblasma penita</i>), southern kidneyshell (<i>Ptychobranthus jonesi</i>), southern pigtoe (<i>Pleurobema georgianum</i>), southern sandshell (<i>Hamiota australis</i>), Suwanee moccasinshell (<i>Medionidus walkeri</i>), tapered pigtoe (<i>Fusconaia burkei</i>), triangular kidneyshell (<i>Ptychobranthus greenii</i>), and upland combshell (<i>Epioblasma metastrata</i>)/Unlimited. | Florida, Georgia, North Carolina, and South Carolina. | Presence/absence surveys. | Capture, identify, release, and salvage shells. | Renewal and amendment. |

| Permit application No. | Applicant | Species/numbers | Location | Activity | Type of take | Permit action |
|------------------------|--|--|-------------------------|--|--|------------------------|
| TE 12169B-1 | Mitigation Management, Atlanta, GA. | Amber darter (<i>Percina antesella</i>), blue shiner (<i>Cyprinella caerulea</i>), Cherokee darter (<i>Etheostoma scotti</i>), Conasauga logperch (<i>Percina jenkinsi</i>), Etowah darter (<i>Etheostoma etowahae</i>), goldline darter (<i>Percina aurolineata</i>), and snail darter (<i>Percina tanasi</i>)/Unlimited. | Georgia | Presence/absence surveys. | Capture, identify, and release. | Renewal and amendment. |
| TE 34387C-0 | U.S. Fish and Wildlife Service, Blacksburg, VA. | Oyster mussel (<i>Epioblasma capsaeformis</i>)/240 individuals. | Tennessee and Virginia. | Captive conditioning and spawning research. | Collect, transport, hold in captivity for 90 days, tag, and release. | New. |
| TE 34429C-0 | Nancy Buschhaus, Univ. of Tennessee at Martin, Martin, TN. | Gray bat (<i>Myotis grisescens</i>), Indiana bat (<i>M. sodalis</i>), and northern long-eared bat (<i>M. septentrionalis</i>)/Unlimited. | Tennessee | Presence/absence survey and population demographics study. | Capture with mist-nets, collect fecal samples, and release. | New. |

Authority: We provide this notice under section 10(c) of the Act.

Dated: June 1, 2017.

Guy Schein,

Acting Assistant Regional Director, Ecological Services, Southeast Region.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2017-N091;
FXES1113080000-178-FF08EVEN00]

Receipt of Application for Incidental Take Permit; Low-Effect Habitat Conservation Plan for BAE Hollister Test Facility, San Benito County, California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit application; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received a request from BAE Systems Land and Armaments L.P., for an incidental take permit under the Endangered Species Act of 1973, as amended. The permit would authorize take of the federally endangered San Joaquin kit fox and the threatened California red-legged frog and California tiger salamander, incidental to otherwise lawful soil remediation activities associated with the BAE Hollister Test Facility Habitat Conservation Plan. We invite public comment.

DATES: Written comments should be received on or before September 14, 2017.

ADDRESSES: You may download a copy of the draft habitat conservation plan 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: Christopher Diel, Fish and Wildlife Biologist, at the above address or by calling (805) 644-1766.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, have received a request from BAE Systems Land and Armaments L.P., for an incidental take permit under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; Act). The applicant has agreed to follow all of the conditions in the habitat conservation plan for the project. The permit would authorize take of the federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*) and the threatened California red-legged frog (*Rana draytonii*) and California tiger salamander (*Ambystoma californiense*), incidental to otherwise lawful activities associated with the BAE Hollister Test Facility Habitat Conservation Plan (HCP). We invite public comment on the application and related documents.

Background

The San Joaquin kit fox was listed by the Service as endangered on January 24, 1997. The California red-legged frog and California tiger salamander were listed by the Service as threatened on May 23, 1996 and August 4, 2004, respectively. Section 9 of the Act and its implementing regulations prohibit the “take” of fish or wildlife species listed as endangered or threatened. “Take” is

defined under the Act to include the following activities: “[T]o 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); however, under section 10(a)(1)(B) of the Act, we may issue permits to authorize incidental take of listed species. “Incidental Take” is defined by the Act as take that is incidental to, and not the purpose of, carrying out of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are, respectively, in the Code of Federal Regulations at 50 CFR 17.32 and 17.22. Under the Act, protections for federally listed plants differ from the protections afforded to federally listed animals. Issuance of an incidental take permit also must not jeopardize the existence of federally listed fish, wildlife, or plant species. All species included in the incidental take permit would receive assurances under our “No Surprises” regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

The applicants have applied for a permit for incidental take of the San Joaquin kit fox, California red-legged frog, and California tiger salamander. The potential taking would occur by activities associated with the soil remediation activities at the BAE Hollister Test Facility in suitable habitat for the covered species.

Preliminary Determination

The Service has made a preliminary determination that issuance of the permit is neither a major Federal action that will significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*; NEPA), nor will it individually or cumulatively have more than a negligible effect on the species