

NEPA, we have prepared a draft EA to analyze the environmental impacts of a reasonable range of alternatives to the proposed Federal permit action.

Alternatives analyzed in the EA include a no-action alternative, the proposed alternative, and an on-site mitigation alternative. Under the no-action alternative, take of listed species would be avoided by limiting construction and development on the project development site to areas where impacts to listed species could be avoided. Because no impacts to listed species are expected under this alternative, no HCP would be needed and no permit would be issued. The proposed alternative is implementation of the proposed HCP and issuance of the requested 15-year permit, as described above. The on-site mitigation alternative would provide for incidental take of the Olympia pocket gopher associated with a level of development that could be fully offset by managing currently occupied habitat on the project site.

Public Comments

You may submit your comments and materials by one of the methods listed in the ADDRESSES section. We specifically request information, views, and opinions from interested parties regarding our proposed Federal action, including on the adequacy of the draft HCP pursuant to the requirements for permits at 50 CFR parts 13 and 17 and the adequacy of the draft EA pursuant to the requirements of NEPA.

Public Availability of Comments

All comments and materials we receive become part of the public record associated with this action. Before including your address, phone number, email address, or other personally identifiable information in your comments, you should be aware that your entire comment—including your personally identifiable information—may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable information from public review, we cannot guarantee that we will be able to do so. All comments received from organizations, businesses, or individuals representing organizations or businesses are available for public inspection in their entirety. Comments and materials we receive, as well as supporting documentation we

use in preparing the EA, will be available for public inspection by appointment, during normal business hours, at our Washington Fish and Wildlife Office (see ADDRESSES).

Next Steps

After public review and completion of the EA, we will determine whether the proposed action warrants a finding of no significant impact or whether an environmental impact statement should be prepared. We will evaluate the permit application, associated documents, and any comments received, to determine whether the permit application meets the requirements of section 10(a)(1)(B) of the ESA. We will also evaluate whether issuance of the requested section 10(a)(1)(B) permit would comply with section 7 of the ESA by conducting an intra-Service section 7 consultation under section 7(a)(2) of the ESA on anticipated ITP actions. The final NEPA and permit determinations will not be completed until after the end of the 30-day comment period and will fully consider all comments received during the comment period. If we determine that all requirements are met, we will issue an incidental take permit under section 10(a)(1)(B) of the ESA to the applicant for the take of the covered species, incidental to otherwise lawful covered activities.

Authority

We provide this notice in accordance with the requirements of section 10 of the ESA (16 U.S.C. 1531 *et seq.*) and NEPA (42 U.S.C. 4321 *et seq.*) and their implementing regulations (50 CFR 17.22 and 40 CFR 1506.6, respectively).

Theresa E. Rabot,

Deputy Regional Director, Pacific Region, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-HQ-ES-2018-0002; FXIA1671090000-156-FF09A30000]

Foreign Endangered Species; Issuance of Permits

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of issuance of permits.

SUMMARY: We, the U.S. Fish and Wildlife Service, have issued permits to conduct activities with endangered and threatened species under the authority of the Endangered Species Act, as amended (ESA). With some exceptions, the ESA prohibits activities involving listed species unless a Federal permit is issued that allows such activity.

ADDRESSES: Information about the applications for the permits listed in this notice is available online at www.regulations.gov. See **SUPPLEMENTARY INFORMATION** for details.

FOR FURTHER INFORMATION CONTACT: Joyce Russell, 703-358-2023.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service, have issued permits to conduct certain activities with endangered and threatened species in response to permit applications that we received under the authority of section 10(a)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*; ESA).

After considering the information submitted with each permit application and the public comments received, we issued the requested permits subject to certain conditions set forth in each permit. For each application for an endangered species, we found that (1) the application was filed in good faith, (2) the granted permit would not operate to the disadvantage of the endangered species, and (3) the granted permit would be consistent with the purposes and policy set forth in section 2 of the ESA.

Availability of Documents

The permittees' original permit application materials, along with public comments we received during public comment periods for the applications, are available for review. To locate the application materials and received comments, go to www.regulations.gov and search for the appropriate permit number (*e.g.*, 12345C) provided in the following table:

Permit No.	Applicant	Permit issuance date
64164A	NH & S Holdings	July 25, 2017.
672849	Priour Brothers Ranch	October 19, 2017.
707102	Priour Brothers Ranch	October 19, 2017.
27097C	Zoological Society of San Diego	November 7, 2017.
32285C	Southeastern Louisiana University	November 13, 2017.

Permit No.	Applicant	Permit issuance date
41581C	Smithsonian National Zoological Park	December 6, 2017.
34054C	Cynthia Page-Kargian, Florida Atlantic University	December 18, 2017.
43158C	Center for the Conservation of the Tropical Ungulates	December 20, 2017.
013008	777 Ranch, Inc	December 27, 2017.

Authority

We issue this notice under the authority of the ESA, as amended (16 U.S.C. 1531 *et seq.*).

Joyce Russell,

Government Information Specialist, Branch of Permits, Division of Management Authority.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2017-N179;
FXES1113020000-189-FF02ENEH00]

Notice of Intent To Prepare a Draft Environmental Assessment for a Proposed Safe Harbor Agreement for Spikedace, Loach Minnow, and Gila Chub; Eagle Creek and Lower San Francisco River in Greenlee and Graham Counties, Arizona

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, advise the public that we intend to prepare a draft environmental assessment (EA), pursuant to the National Environmental Policy Act, to evaluate the impacts of, and alternatives to, the proposed issuance of an enhancement of survival permit under the Endangered Species Act of 1973, as amended, to Freeport-McMoRan, Inc., Freeport-McMoRan Morenci, Inc., and the Morenci Water and Electric Company (FMMI/MWE) (collectively referred to as the applicant) for conservation of federally-listed fish species. The applicant proposes to draft a safe harbor agreement. Via this notice, we also open a public scoping period.

DATES: Written suggestions or comments on alternatives and issues to be addressed in the Service's draft environmental analysis must be received by close of business on or before May 3, 2018.

ADDRESSES: To request further information or submit written comments, use one of the following methods, and note that your information request or comment is in reference to the FMMI/MWE NEPA scoping:

- Email: incomingazcorr@fws.gov;
- U.S. Mail: Field Supervisor, Arizona Ecological Services Office, 9828 N 31st Avenue, Suite C3, Phoenix, Arizona 85051;
- Fax: 602-242-2513; or
- Phone: 602-242-0210.

SUPPLEMENTARY INFORMATION: We, the U.S. Fish and Wildlife Service (Service), advise the public that we intend to prepare a draft EA, pursuant to the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*; NEPA), to evaluate the impacts of, and alternatives to, the proposed issuance of an enhancement of survival permit (EOS Permit) under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; ESA), to Freeport-McMoRan, Inc., Freeport-McMoRan Morenci, Inc., and the Morenci Water and Electric Company (FMMI/MWE) (collectively referred to as the applicant) for conservation of three federally-listed species: The endangered spikedace (*Meda fulgida*), endangered loach minnow (*Tiaroga cobitis*), and endangered Gila chub (*Gila intermedia*) (collectively referred to as covered species). In support of the EOS Permit, the applicant proposes to draft a safe harbor agreement (SHA) for land and water uses at Eagle Creek and the lower San Francisco River, as well as for long-term management and monitoring activities, including construction of a nonnative fish barrier; an exotic species study; annual surveys for covered species and other fish species; and the continued implementation of the *Spikedace and Loach Minnow Management Plan* (October 2011) at Eagle Creek and the lower San Francisco River in Greenlee and Graham Counties, Arizona.

Background

Section 9 of the ESA and its implementing regulations prohibit "take" of fish and wildlife species listed as endangered or threatened under the ESA. The ESA defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or attempt to engage in such conduct" (16 U.S.C. 1533). The term "harm" is defined in the regulations as significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding,

feeding, or sheltering (50 CFR 17.3). However, we may, under specified circumstances, issue permits that allow the take of federally listed species, provided that the take is incidental to, but not the purpose of, otherwise lawful activity. EOS Permits issued to applicants in association with approved SHAs authorize incidental take of the covered species from implementation of the conservation activities and ongoing covered activities above the baseline condition. Baseline condition for a species could be described as the existing number of individuals, acres of habitat, or length of occupied stream present in the permit area prior to implementation of the SHA.

Application requirements and issuance criteria for EOS permits for SHAs are found in the Code of Regulations (CFR) at 50 CFR 17.22(c)(2)(i) and 17.32(c)(2)(ii), respectively. See also the joint policy on SHAs, which the Service and the Department of Commerce's National Oceanic and Atmospheric Administration, National Marine Fisheries Service published in the **Federal Register** on June 17, 1999 (64 FR 32717).

The purpose of issuing the proposed EOS Permit is to authorize take associated with the applicant's proposed activities while conserving covered species and their habitats. We expect that the applicant will request EOS Permit coverage for a period of 50 years.

The Applicant's Proposed Project

The proposed activities would include ongoing land and water management activities associated with water-related improvements, including a diversion dam and appurtenant pumping facilities and pipelines, groundwater pumping stations and water transmission pipelines, access roads, power lines, and related infrastructure. During the term of the SHA, the permittee anticipates improving, replacing, repairing, reconstructing, and maintaining these facilities and related infrastructure on land adjacent to Eagle Creek and the lower San Francisco River. We have worked with the applicant to design conservation activities expected to have a net conservation benefit to the spikedace, loach minnow, and Gila