Public Comments

The Service invites the public to comment on the proposed HCP and draft EA during a 30-day public comment period (see **DATES**). You may submit comments by one of the methods shown under **ADDRESSES**.

Public Availability of Comments

We will post on *http://regulations.gov* all public comments and information received electronically or via hardcopy. All comments received, including names and addresses, will become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public disclosure in their entirety.

Authority

This notice is provided pursuant to section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Dated: June 28, 2018.

Spencer Simon,

Acting Assistant Regional Director, Ecological Services, Northeast Region.

Editorial note: THIS DOCUMENT WAS RECEIVED AT THE OFFICE OF THE FEDERAL REGISTER ON NOVEMBER 23, 2018.

[FR Doc. 2018–25916 Filed 11–27–18; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–HQ–MB–2018–0048; FXMB 12320900000//189//FF09M29000]

Draft List of Bird Species to Which the Migratory Bird Treaty Act Does Not Apply

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, are publishing a draft list of the nonnative bird species that have been introduced by humans into the United States or U.S. territories and to which the Migratory Bird Treaty Act (MBTA) does not apply. The Migratory Bird Treaty Reform Act (MBTRA) of 2004 amends the MBTA by stating that the MBTA applies only to migratory bird species that are native to the United States or U.S. territories, and that a native migratory bird species is one that is present as a result of natural biological or ecological processes. The MBTRA requires that we publish a list of all nonnative, human-introduced bird species to which the MBTA does not apply. We published that list in 2005, and are starting the process to update it with this notice. This notice identifies those species that are not protected by the MBTA, even though they belong to biological families referred to in treaties that the MBTA implements, as their presence in the United States or U.S. territories is solely the result of intentional or unintentional human-assisted introductions. This notice presents a draft list of species that are not protected by the MBTA to reflect current taxonomy, to remove one species that no longer occurs in a protected family, and to remove one species as a result of new distributional records documenting its natural occurrence in the United States.

DATES: We will accept comments received or postmarked on or before January 28, 2019. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES**, below) must be received by 11:59 p.m. Eastern Time on the closing date.

ADDRESSES:

Written comments: You may submit comments by one of the following methods:

(1) *Electronically:* Go to the Federal eRulemaking Portal: *http://www.regulations.gov.* In the Search box, enter FWS–HQ–MB–2018–0048, which is the docket number for this notice. Then, click on the Search button. On the resulting page, in the Search panel on the left side of the screen, under the Document Type heading, click on the Notice box to locate this document. You may submit a comment by clicking on ''Comment Now!''

(2) *By hard copy:* Submit by U.S. mail or hand-delivery to: Public Comments Processing, Attn: FWS–HQ–MB–2018–0048, U.S. Fish and Wildlife Service, MS: BPHC, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

We request that you send comments only by the methods described above. We will post all comments on *http://www.regulations.gov.* This generally means that we will post any personal information you provide us (see Public Comments, below, for more information).

Document availability: The complete file for this notice is available for inspection, by appointment. Contact Eric L. Kershner, Chief of the Branch of Conservation, Permits, and Regulations; Division of Migratory Bird Management; U.S. Fish and Wildlife Service; MS:MB; 5275 Leesburg Pike, Falls Church, VA 22041–3803; (703) 358–2376.

FOR FURTHER INFORMATION CONTACT:

Eric L. Kershner, (703) 358–2376.

SUPPLEMENTARY INFORMATION:

What is the purpose of this notice?

The purpose of this notice is to provide the public with an opportunity to review and comment on a draft updated list of ''all nonnative, human-introduced bird species to which the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*) does not apply,'' as described in the MBTRA of 2004. The MBTRA states that ''[a]s necessary, the Secretary may update and publish the list of species exempted from protection of the Migratory Bird Treaty Act.''

This notice is strictly informational. It merely updates our list of the bird species to which the MBTA does not apply. The presence or absence of a species on this list has no legal effect. This list does not change the protections that any of these species might receive under such agreements as the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES; T.I.A.S. 8249), the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), or the Wild Bird Conservation Act of 1992 (16 U.S.C. 4901 *et seq.*). Regulations implementing the MBTA are found in parts 10, 20, and 21 of title 50 of the Code of Federal Regulations (CFR). The list of migratory birds covered by the MBTA is located at 50 CFR 10.13. Elsewhere in today's **Federal Register**, we propose to revise the list of migratory bird species that are protected under the MBTA at 50 CFR 10.13.

For more information, refer to our notice published in the **Federal Register** on January 4, 2005, at 70 FR 372.

What criteria did we use to identify bird species not protected by the MBTA?

The criteria remain the same as stated in our notice published on March 15, 2010, at 70 FR 12710.

Summary of Updates to the 2010 List of Bird Species Not Protected by the MBTA

This notice presents a draft list of species that are not protected by the MBTA to reflect current taxonomy, to remove one species that no longer occurs in a protected family, and to remove one species as a result of new distributional records documenting its natural occurrence in the United States. The taxonomical updates are presented in the draft list below. Japanese Bush-Warbler (*Cettia diphone*) and Red-Legged Honeycreeper (*Cyanerpes cyaneus*) appeared on the March 15, 2010, list (70 FR 12710), but are not on this draft list because Japanese Bush-Warbler (*Cettia diphone*) no longer occurs in a protected family due to changes in taxonomy, and new distributional records document the natural occurrence of Red-Legged Honeycreeper (*Cyanerpes cyaneus*) in the United States.

The Draft List

What are the nonnative, human-introduced bird species to which the MBTA does not apply that belong to biological families of migratory birds covered under any of the migratory bird conventions with Great Britain (for Canada), Mexico, Russia, or Japan?

We made this draft list as comprehensive as possible by including all nonnative, human-assisted species that belong to any of the families referred to in the treaties and whose occurrence(s) in the United States or U.S. territories have been documented in the scientific literature. It is not, however, an exhaustive list of all the nonnative species that could potentially appear in the United States or U.S. territories as a result of human assistance. New species of nonnative birds are being reported annually in the United States, and it is impossible to predict which species might appear in the near future.

The appearance of a species on this list does not preclude its addition to the list of migratory birds protected by the MBTA (50 CFR 10.13) at some later date should substantial evidence come to light confirming natural occurrence in the United States or U.S. territories. The 123 species on this list are arranged by family according to the American Ornithological Society (AOS) (1998, as amended and following taxonomy in the AOS 2017 supplement). Within families, species are arranged alphabetically by scientific name. Common and scientific names follow Clements et al. (2017); any names occurring differently in the AOS 2017 supplement are in parentheses.

Family Anatidae

Mandarin Duck, *Aix galericulata*
Egyptian Goose, *Alopochen aegyptiaca*
Philippine Duck, *Anas luzonica*
Graylag Goose, *Anser anser*
Domestic Goose, *Anser anser 'domesticus'*
Swan Goose, *Anser cygnoides*
Bar-headed Goose, *Anser indicus*
Red-breasted Goose, *Branta ruficollis*
Ringed Teal, *Callonetta leucophrys*
Maned Duck, *Chenonetta jubata*
Coscoroba Swan, *Coscoroba coscoroba*
Black Swan, *Cygnus atratus*
Black-necked Swan, *Cygnus melancoryphus*
Mute Swan, *Cygnus olor*
White-faced Whistling-Duck, *Dendrocygna viduata*
Rosy-billed Pochard, *Netta peposaca*
Red-crested Pochard, *Netta rufina*
Cotton Pygmy-Goose, *Nettapus coromandelianus*
Orinoco Goose, *Oressochen jubatus* (*Neochen jubata*)
Hottentot Teal, *Spatula hottentota*
Ruddy Shelduck, *Tadorna ferruginea*
Common Shelduck, *Tadorna tadorna*

Family Phoenicopteridae

Lesser Flamingo, *Phoeniconaias minor*
Chilean Flamingo, *Phoenicopterus chilensis*

Family Columbidae

Nicobar Pigeon, *Caloenas nicobarica*
Asian Emerald Dove, *Chalcophaps indica*
Rock Pigeon, *Columba livia*
Common Wood-Pigeon, *Columba palumbus*
Luzon Bleeding-heart, *Gallicolumba luzonica*
Diamond Dove, *Geopelia cuneata*
Bar-shouldered Dove, *Geopelia humeralis*
Zebra Dove, *Geopelia striata*
Spinifex Pigeon, *Geophaps plumifera*
Partridge Pigeon, *Geophaps smithii*
Wonga Pigeon, *Leucosarcia melanoleuca*
Crested Pigeon, *Ocyphaps lophotes*
Common Bronzewing, *Phaps chalcoptera*
Blue-headed Quail-Dove, *Starnoenas cyanocephala*
Island Collared-Dove, *Streptopelia bitorquata*
Spotted Dove, *Streptopelia chinensis*
Eurasian Collared-Dove, *Streptopelia decaocto*
African Collared-Dove, *Streptopelia roseogrisea*

Family Trochilidae

Black-throated Mango, *Anthracothorax nigricollis*

Family Rallidae

Gray-cowled Wood-Rail, *Aramides cajaneus*

Family Gruiidae

Demoiselle Crane, *Anthropoides virgo*
Sarus Crane, *Antigone antigone*
Black Crowned-Crane, *Balearica pavonina*
Gray Crowned-Crane, *Balearica regulorum*

Family Charadriidae

Southern Lapwing, *Vanellus chilensis*
Spur-winged Lapwing, *Vanellus spinosus*

Family Laridae

Silver Gull, *Chroicocephalus novaehollandiae*

Family Ciconiidae

Abdim's Stork, *Ciconia abdimii*
White Stork, *Ciconia ciconia*
Woolly-necked Stork, *Ciconia episcopus*
Black-necked Stork, *Ephippiorhynchus asiaticus*

Family Phalacrocoracidae

Red-legged Cormorant, *Phalacrocorax gaimardi*

Family Anhingidae

Oriental Darter, *Anhinga melanogaster*

Family Pelecanidae

Great White Pelican, *Pelecanus onocrotalus*
Pink-backed Pelican, *Pelecanus rufescens*

Family Threskiornithidae

Eurasian Spoonbill, *Platalea leucorodia*
Sacred Ibis, *Threskiornis aethiopicus*

Family Cathartidae

King Vulture, *Sarcoramphus papa*

Family Accipitridae

Great Black Hawk, *Buteogallus urubitinga*
Variable Hawk, *Geranoaetus polyosoma*
Griffon-type Old World vulture, *Gyps* sp.
Bateleur, *Terathopius ecaudatus*

Family Strigidae

Spectacled Owl, *Pulsatrix perspicillata*

Family Corvidae

Black-throated Magpie-Jay, *Calocitta colliei*
White-necked Raven, *Corvus albicollis*
Carrion Crow, *Corvus corone*
Cuban Crow, *Corvus nasicus*
House Crow, *Corvus splendens*
Azure Jay, *Cyanocorax caeruleus*
San Blas Jay, *Cyanocorax sanblasianus*
Rufous Treepie, *Dendrocitta vagabunda*

Eurasian Jay, *Garrulus glandarius*
Red-billed Chough, *Pyrrhocorax pyrrhocorax*
Red-billed Blue-Magpie, *Urocissa erythroryncha*

Family Alaudidae

Japanese Skylark, *Alauda japonica*
Wood Lark, *Lullula arborea*
Calandra Lark, *Melanocorypha calandra*
Mongolian Lark, *Melanocorypha mongolica*

Family Paridae

Eurasian Blue Tit, *Cyanistes caeruleus*
Great Tit, *Parus major*
Varied Tit, *Sittiparus varius*

Family Cinclidae

White-throated Dipper, *Cinclus cinclus*

Family Sylviidae

Eurasian Blackcap, *Sylvia atricapilla*

Family Muscicapidae

Indian Robin, *Copsychus fulicatus*
White-rumped Shama, *Copsychus malabaricus*
Oriental Magpie-Robin, *Copsychus saularis*
European Robin, *Erithacus rubecula*
Japanese Robin, *Larvivora akahige*
Ryukyu Robin, *Larvivora komadori*
Common Nightingale, *Luscinia megarhynchos*

Family Turdidae

Song Thrush, *Turdus philomelos*
Red-throated Thrush, *Turdus ruficollis*

Family Prunellidae

Dunnock, *Prunella modularis*

Family Fringillidae

European Goldfinch, *Carduelis carduelis*
European Greenfinch, *Chloris chloris*
White-rumped Seedeater, *Crithagra leucopygia*
Yellow-fronted Canary, *Crithagra mozambica*
Eurasian Linnet, *Linaria cannabina*
Parrot Crossbill, *Loxia pytyopsittacus*
Island Canary, *Serinus canaria*
Red Siskin, *Spinus cucullatus*
Hooded Siskin, *Spinus magellanicus*

Family Emberizidae

Yellowhammer, *Emberiza citrinella*

Family Icteridae

Venezuelan Troupial, *Icterus icterus*
Spot-breasted Oriole, *Icterus pectoralis*
Montezuma Oropendola, *Psarocolius montezuma*
Red-breasted Meadowlark, *Sturnella militaris*

Family Cardinalidae

Orange-breasted Bunting, *Passerina leclancherii*
Red-hooded Tanager, *Piranga rubriceps*

Family Thraupidae

Yellow Cardinal, *Gubernatrix cristata*
Greater Antillean Bullfinch, *Loxigilla violacea*
Cuban Bullfinch, *Melopyrrha nigra*
Yellow-billed Cardinal, *Paroaria capitata*
Red-crested Cardinal, *Paroaria coronata*
Red-cowled Cardinal, *Paroaria dominicana*
Red-capped Cardinal, *Paroaria gularis*
Saffron Finch, *Sicalis flaveola*
Blue-gray Tanager, *Thraupis episcopus*
Cuban Grassquit, *Tiaris canorus*

Public Comments

We request comments or information on this draft list from other concerned governmental agencies, the scientific community, industry, or any other interested parties.

Please include sufficient information with your submission (such as electronic copies of scientific journal articles or other publications, preferably in English) to allow us to verify any scientific or commercial information you include.

You may submit your comments and materials concerning this draft list by one of the methods listed in **ADDRESSES**. We request that you send comments only by the methods described in **ADDRESSES**.

If you submit information via *http://www.regulations.gov,* your entire submission—including any personal identifying information—will be posted on the website. If your submission is made via a hardcopy that includes personal identifying information, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. We will post all hardcopy submissions on *http://www.regulations.gov.*

Comments and materials we receive will be available for public inspection on *http://www.regulations.gov,* or by appointment, during normal business hours, at the U.S. Fish and Wildlife Service, Division of Migratory Bird Management (see **ADDRESSES**).

Author

The author of this notice is Jo Anna Lutmerding, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, 5275 Leesburg Pike, Falls Church, VA 22041.

References Cited

American Ornithological Society. 2017. Fifty-eighth to the American Ornithological Society's Check-list of North American Birds. Auk 134:751–773.

American Ornithologists' Union. 1998. Check-list of North American birds: the species of birds of North America from the Arctic through Panama, including the West Indies and Hawaiian Islands. 7th edition. Washington, DC.

Clements, J.F., T.S. Schulenberg, M.J. Iliff, D. Roberson, T.A. Fredericks, B.L. Sullivan, and C.L. Wood. 2017. The eBird/Clements checklist of birds of the world: v2017. Downloaded from *http://www.birds.cornell.edu/clementschecklist/download/.*

Authority

The authority for this notice is the Migratory Bird Treaty Reform Act of 2004 (Division E, Title I, Sec. 143 of the Consolidated Appropriations Act, 2005; Pub. L. 108–447), and the Migratory Bird Treaty Act (16 U.S.C. 703–712).

Dated: November 5, 2018.

James W. Kurth,

Deputy Director, U.S. Fish and Wildlife Service, Exercising the Authority of the Director, U.S. Fish and Wildlife Service.

[FR Doc. 2018–25631 Filed 11–27–18; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R1–ES–2018–N136; FXES11130600000–190–FF01E00000]

Endangered Species; Receipt of Recovery Permit Application

AGENCY: Fish and Wildlife Service, Interior.

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

SUMMARY: We, the U.S. Fish and Wildlife Service, have received an application for a permit to conduct activities intended to enhance the propagation and survival of endangered plant species under the Endangered Species Act of 1973, as amended. We invite the public and local, State, Tribal, and Federal agencies to comment on this application. Before issuing the requested permit, we will take into consideration any information that we receive during the public comment period.

DATES: We must receive your written comments on or before December 28, 2018.

ADDRESSES: *Document availability and comment submission:* Submit requests for a copy of the application and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name and application number (*i.e.,* Colorado State University TE–07859D–0):