

### Plan Area

The geographic scope of the Final Plan includes two plan areas. Plan Area A encompasses approximately 209,000 acres of the City of Lincoln and unincorporated lands in western Placer County and is the focus of the Final Plan. Plan Area B includes additional specific areas in Placer and Sutter Counties that are not included in Plan Area A. Combined, Plan Areas A and B cover approximately 260,000 acres.

### Covered Activities

The proposed section 10 ITPs would allow take of 14 covered species resulting from covered activities in the proposed plan area. The applicants are requesting incidental take authorization for covered species resulting from covered activities, including urban and rural development, water management, conservation measures, and facilities maintenance. A complete description of the covered activities is provided in the Final Plan, Chapter 2. The applicants are also proposing to implement a number of project design features, including best management practices, as well as general and species-specific avoidance and minimization measures to minimize the impacts of the take from the covered activities.

### Covered Species

The following wildlife species federally listed as endangered are proposed to be covered by the Final Plan: Conservancy fairy shrimp (*Branchinecta conservatio*) and vernal pool tadpole shrimp (*Lepidurus packardii*). The following wildlife species federally listed as threatened are proposed to be covered by the Final Plan: Giant garter snake (*Thamnophis gigas*), California red-legged frog (*Rana draytonii*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), and vernal pool fairy shrimp (*Branchinecta lynchi*). The following wildlife species that are not federally listed are also proposed to be covered by the Final Plan: Swainson's hawk (*Buteo swainsoni*), California black rail (*Laterallus jamaicensis coturniculus*), western burrowing owl (*Athene cunicularia hypugaea*), tricolored blackbird (*Agelaius tricolor*), western pond turtle (*Actinemys marmorata*), and foothill yellow-legged frog (*Rana boylei*).

Two species of fish are proposed to be covered by the Final Plan under an ITP from NMFS: The Central Valley steelhead (distinct population segment; *Oncorhynchus mykiss irideus*), which is federally listed as threatened; and the Central Valley fall/late-fall run Chinook

salmon (evolutionarily significant unit; *Oncorhynchus tshawytscha*), which is not listed.

### National Environmental Policy Act Compliance

The final EIS/EIR was prepared to analyze the impacts of issuing an ITP based on the Final Plan and to inform the public of the proposed action, alternatives, and associated impacts and to disclose any irreversible commitments of resources. The final EIS/EIR analyzes three alternatives in addition to the proposed action described above. The other alternatives include a no-action (*i.e.*, no ITP) alternative, a reduced take/reduced fill alternative, and a reduced permit term alternative, and are all described in the Final EIS/EIR. The final EIS/EIR also includes all comments received on the draft EIS/EIR, draft HCP/NCCP, and responses to those comments.

### Public Review

The FWS published a notice of intent to prepare a joint EIS/EIR in the **Federal Register** on March 7, 2005 (70 FR 11022), announcing a 30-day public scoping period, during which the public was invited to provide written comments and attend three public meetings. The FWS published a notice of availability of the draft EIS/EIR and draft HCP/NCCP in the **Federal Register** on June 21, 2019 (84 FR 29224), announcing a 60-day public comment period, during which the public was invited to provide written comments and attend two public meetings.

Copies of the final EIS/EIR and Final Plan are available for inspection (see **ADDRESSES**). Any comments we receive will become part of the 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 us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

### Next Steps

Issuance of an incidental take permit is a Federal proposed action subject to compliance with NEPA and the ESA. The FWS and NMFS will evaluate the application, associated documents, and any public comments we receive to determine whether the application meets the requirements of NEPA regulations and sections 7 and 10(a) of the ESA. If FWS and NMFS determine

that those requirements are met, we will issue a permit to the applicants for the incidental take of the Covered Species.

### Authority

We issue this notice pursuant to section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32), and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

**Michael Fris,**

*Assistant Regional Director, Pacific Southwest Region, Sacramento.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS-HQ-IA-2020-0031; FXIA1671090000-201-FF09A30000]

### Foreign Endangered Species; Marine Mammals; Receipt of Permit Applications

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

**ACTION:** Notice of receipt of permit applications; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), invite the public to comment on applications to conduct certain activities with foreign species that are listed as endangered under the Endangered Species Act (ESA) and foreign or native species for which the Service has jurisdiction under the Marine Mammal Protection Act (MMPA). With some exceptions, the ESA and the MMPA prohibit activities with listed species unless Federal authorization is issued that allows such activities. The ESA and MMPA also require that we invite public comment before issuing permits for any activity otherwise prohibited by the ESA or MMPA with respect to any endangered species or marine mammals.

**DATES:** We must receive comments by June 22, 2020.

### ADDRESSES:

*Obtaining Documents:* The applications, application supporting materials, and any comments and other materials that we receive will be available for public inspection at <http://www.regulations.gov> in Docket No. FWS-HQ-IA-2020-0031.

*Submitting Comments:* When submitting comments, please specify the name of the applicant and the permit number at the beginning of your

comment. You may submit comments by one of the following methods:

- *Internet:* <http://www.regulations.gov>.

Search for and submit comments on Docket No. FWS-HQ-IA-2020-0031.

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-HQ-IA-2020-0031; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041-3803.

For more information, see Public Comment Procedures under **SUPPLEMENTARY INFORMATION**.

**FOR FURTHER INFORMATION CONTACT:** Monica Thomas, by phone at 703-358-2185, via email at [DMAFR@fws.gov](mailto:DMAFR@fws.gov), or via the Federal Relay Service at 800-877-8339.

#### **SUPPLEMENTARY INFORMATION:**

### **I. Public Comment Procedures**

#### *A. How do I comment on submitted applications?*

We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

You may submit your comments and materials by one of the methods in **ADDRESSES**. We will not consider comments sent by email or fax, or to an address not in **ADDRESSES**. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**).

When submitting comments, please specify the name of the applicant and the permit number at the beginning of your comment. Provide sufficient information to allow us to authenticate any scientific or commercial data you include. The comments and recommendations that will be most useful and likely to influence agency decisions are: (1) Those supported by quantitative information or studies; and (2) those that include citations to, and analyses of, the applicable laws and regulations.

#### *B. May I review comments submitted by others?*

You may view and comment on others' public comments at <http://www.regulations.gov>, unless our allowing so would violate the Privacy Act (5 U.S.C. 552a) or Freedom of Information Act (5 U.S.C. 552).

#### *C. Who will see my comments?*

If you submit a comment at <http://www.regulations.gov>, your entire

comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or email address, 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. Moreover, 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.

### **II. Background**

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(c) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and section 104(c) of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), we invite public comments on permit applications before final action is taken. With some exceptions, the ESA and MMPA prohibit certain activities with listed species unless Federal authorization is issued that allows such activities. Permits issued under section 10(a)(1)(A) of the ESA allow otherwise prohibited activities for scientific purposes or to enhance the propagation or survival of the affected species. Service regulations regarding prohibited activities with endangered species, captive-bred wildlife registrations, and permits for any activity otherwise prohibited by the ESA with respect to any endangered species are available in title 50 of the Code of Federal Regulations in part 17. Service regulations regarding permits for any activity otherwise prohibited by the MMPA with respect to any marine mammals are available in title 50 of the Code of Federal Regulations in part 18. Concurrent with publishing this notice in the **Federal Register**, we are forwarding copies of the marine mammal application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

### **III. Permit Applications**

We invite comments on the following applications.

#### *A. Endangered Species*

Applicant: NRCAN Natural Resource Canada c/o U.S. Fish and Wildlife Service Maine Field Office, East Orland, ME; Permit No. 53601D

The applicant requests authorization to export to Canada wild furbish lousewort (*Pedicularis furbishiae*) seeds collected in Maine for the purpose of enhancing the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Chicago Botanic Garden, Glencoe, IL; Permit No. 69662D

The applicant requests authorization to import seed and pollen of the Olulu plant (*Brighamia insignis*) from multiple botanic institutions for the purpose of enhancing the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: University of Massachusetts Amherst, Amherst, MA; Permit No. 63307D

The applicant requests authorization to import biological samples derived from wild Verreaux's sifakas (*Propithecus verreauxi*), ring-tailed lemurs (*Lemur catta*), and red-and-gray mouse lemurs (*Microcebus griseorufus*), taken in Madagascar, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Tony Goldberg, Madison, WI; Permit No. 56953D

The applicant requests a permit to import biological samples derived from wild and captive-born common chimpanzees (*Pan troglodytes*), taken in the Republic of Congo, for the purpose of scientific research. This notification is for a single import.

Applicant: Columbus Zoo and Aquarium, Powell, OH; Permit No. 60002D

The applicant requests authorization to import biological samples derived from wild black-and-white ruffed lemurs (*Varecia variegata*), taken in Madagascar, for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Graham Banes, University of Wisconsin-Madison, Madison, WI; Permit No. 93299C

The applicant requests authorization to import biological samples from captive-bred and wild orangutans (*Pongo pygmaeus* and *Pongo abelii*)

from multiple locations for the purpose of enhancing the propagation or survival of the species through scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Jordana Meyer, Stanford University, Stanford, CA; Permit No. 55307D

The applicant requests authorization to import biological samples from wild African elephants (*Loxodonta africana*) taken in Garamba National Park, Republic of Congo, for the purpose of enhancing the propagation or survival of the species through scientific research. This notification is for a single import.

Applicant: St. Augustine Alligator Farm, St. Augustine, FL; Permit No. 15196D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Cabot's tragopan pheasant.	<i>Tragopan caboti</i> .
Komodo island monitor ...	<i>Varanus komodoensis</i> .
Congo dwarf crocodile ...	<i>Osteolaemus tetraspis osborni</i> .
African dwarf crocodile ...	<i>Osteolaemus tetraspis</i> .
Chinese alligator .....	<i>Alligator sinensis</i> .
Blue-throated macaw .....	<i>Ara glaucogularis</i> .
Siamese crocodile .....	<i>Crocodylus siamensis</i> .

Applicant: Bright and Associates, LLC, dba Bright's Zoo, Limestone, TN; Permit No. 51201D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Species name
Jackass penguin .....	<i>Spheniscus demersus</i> .
Baird's tapir .....	<i>Tapirus bairdii</i> .
Cotton-top tamarin .....	<i>Saguinus oedipus</i> .
Galapagos tortoise .....	<i>Chelonoidis niger</i> .
Radiated tortoise .....	<i>Astrochelys radiata</i> .
Lar gibbon .....	<i>Hylobates lar</i> .

Applicant: Mississippi Aquarium, Gulfport, MS; Permit No. 59433D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for jackass penguins (*Spheniscus demersus*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Peoria Zoo at Glen Oak Park, Peoria, IL; Permit No. 59321D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Species name
Chinese alligator .....	<i>Alligator sinensis</i> .
Panamanian golden frog .....	<i>Atelopus zeteki</i> .
Mongoose lemur .....	<i>Eulemur mongoz</i> .
Galapagos tortoise .....	<i>Chelonoidis niger</i> .
Ring-tailed lemur .....	<i>Lemur catta</i> .
Mandrill .....	<i>Mandrillus sphinx</i> .
Siberian tiger .....	<i>Panthera tigris altaica</i> .
Cotton-top tamarin .....	<i>Saguinus oedipus</i> .

Applicant: Chattanooga Zoo, Chattanooga, TN; Permit No. 56470D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for snow leopards (*Uncia uncia*) to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Steve Martin's Natural Encounters, Inc., Winter Haven, FL; Permit No. 42547B

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for blue-throated macaw (*Ara glaucogularis*), to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Ox Ranch Investments LLC dba Ox Hunting Ranch, Uvalde, TX; Permit No. 10867B

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Species name
Eld's brow-antlered deer .....	<i>Cervus eldi</i> .
Arabian oryx .....	<i>Oryx leucoryx</i> .
Swamp deer .....	<i>Cervus duvauceli</i> .

Applicant: William Porter, Fort Denaud, FL; Permit No. 08333D

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species, to enhance the propagation or survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Common name	Scientific name
Madagascar radiated tortoise.	<i>Geochelone radiata</i> .
Galapagos tortoise .....	<i>Geochelone nigra</i> .
Blue-throated macaw .....	<i>Ara glaucogularis</i> .
St. Vincent parrot .....	<i>Amazona guildingii</i> .
Cuban parrot .....	<i>Amazona leucocephala</i> .
White cockatoo .....	<i>Cacatua alba</i> .
Philippine cockatoo .....	<i>Cacatua haematropygia</i> .
Salmon-crested cockatoo	<i>Cacatua moluccensis</i> .

Applicant: UC Davis Center for Plant Diversity, Davis, CA; Permit No. 60226D

The applicant requests authorization to export and reimport nonliving museum plant specimens of endangered species previously accessioned into the applicant's collection for scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Ox Ranch Investments LLC dba Ox Hunting Ranch, Uvalde, TX; Permit No. 10866B

The applicant requests a permit authorizing the culling of excess Eld's brow-antlered deer (*Rucervus eldi*), Arabian oryx (*Oryx leucoryx*), and swamp deer (*Rucervus duvauceli*) from the captive herd maintained at their facility, to enhance the species' propagation and survival. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Jeff Demaske, Greeley, CO; Permit No. 55199D

The applicant requests a permit to import a sport hunted trophy of a hyena (*Parahyaena brunnea*) from Zimbabwe for the purpose of enhancing the propagation or survival of the species. This notification is for a single import.

Applicant: Wayne P. Johnson, Long Beach, MS; Permit No. 71738D

The applicant requests a permit to import a sport-hunted trophy of a male scimitar-horned oryx (*Oryx dammah*) culled from a captive herd maintained in South Africa, to enhance the species' propagation and survival.

Richard Roark, Marshall, TX; Permit No. 72865D

The applicant requests a permit to import a sport-hunted trophy of one sport-hunted trophy of male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancing the propagation or survival of the species.

*B. Endangered Marine Mammals and Marine Mammals*

Applicant: Wild Space Productions, Pacific Grove, CA Permit No. 62285D

The applicant requests a permit to photograph southern sea otters (*Enhydra lutris nereis*) along the coast of California, at the locations listed below, for the purpose of enhancement of the survival of the species through educational photography.

- Monterey Harbour
- Cannery Row, Pacific Grove stretch
- Monterey Bay Inn, Cannery Row
- Pebble Beach (Point Joe—within Pebble Beach)
- Point Lobos (using boat launch Whalers Cove)
- Monterey Bay Aquarium: Hopkins Marine Station
- Carmel Beach, Carmel-by-the-Sea
- Sandshell Beach—behind Cypress Point
- Otter Point—Perkins Park, Pacific Grove
- Berwick Park
- Elkhorn Slough
- Moss Landing Harbor
- Pescadero

This notification covers activities to be conducted by the applicant over a 5-year period.

**IV. Next Steps**

After the comment period closes, we will make decisions regarding permit issuance. If we issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**. You may locate the notice announcing the permit issuance by searching <http://www.regulations.gov> for the permit number listed above in this document. For example, to find information about the potential issuance of Permit No. 12345A, you would go to [regulations.gov](http://www.regulations.gov) and search for “12345A”.

**V. Authority**

We issue this notice under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and its implementing regulations, and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and its implementing regulations.

**Monica Thomas,**

*Management Analyst, Branch of Permits, Division of Management Authority.*

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-R6-ES-2020-N044; FXES11130600000-201-FF06E00000]**

**Endangered and Threatened Species; Receipt of Recovery Permit Applications**

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

**ACTION:** Notice of receipt of permit applications; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

**DATES:** We must receive your written comments by June 22, 2020.

**ADDRESSES:** *Document availability and comment submission:* Use one of the following methods to request documents or submit comments. Requests and comments should specify

the applicant name(s) and application number(s) (e.g., TE123456):

- *Email:* [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov).
- *U.S. Mail:* Marjorie Nelson, Chief, Division of Ecological Services, U.S. Fish and Wildlife Service, 134 Union Blvd., Suite 670, Lakewood, CO 80228.

**FOR FURTHER INFORMATION CONTACT:**

Kathy Konishi, Recovery Permits Coordinator, Ecological Services, 303-236-4224 (phone), or [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov) (email). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), prohibits certain activities with endangered and threatened species unless authorized by a Federal permit. The ESA and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. 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.

**Permit Applications Available for Review and Comment**

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

Application No.	Applicant	Species	Location	Take activity	Permit action
TE183430-3	Headwaters Corporation, Kearney, NE.	• Interior least tern ( <i>Sternula antillarum athalassos</i> ).	NE .....	Pursue for presence/absence surveys, nest monitoring, habitat management.	Renew.
TE045150-4	Oklahoma State University, Stillwater, OK.	• American burying beetle ( <i>Nicrophorus americanus</i> ).	NE, SD, KS, OK, AR, TX.	Pursue for presence/absence surveys. Hold in captivity for captive breeding and rearing, for reintroduction purposes.	Renew.

*Public Availability of Comments*

Written comments we receive become part of the administrative 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 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