

of the application for an ITP under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The Service prepared a draft CatEx in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) to evaluate the potential effects to the natural and human environment resulting from issuing an ITP to the applicant. We invite public comment on these documents.

### Background

The Service listed the Smith's blue butterfly as endangered in 1976 (41 FR 22041). Section 9 of the ESA prohibits take of fish and wildlife species listed as endangered (16 U.S.C. 1538). Under the ESA, "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 ESA (16 U.S.C. 1539(a)(1)(B)), we may issue permits to authorize take of listed fish and wildlife species that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for endangered species are in the Code of Federal Regulations (CFR) at 50 CFR 17.22. Issuance of an ITP also must not jeopardize the existence of federally listed fish, wildlife, or plant species, pursuant to section 7 of the ESA and 50 CFR 402.02. The permittee would receive assurances under our "No Surprises" regulations (50 CFR 17.22(b)(5)).

### Proposed Activities

The applicant has applied for a permit for incidental take of the Smith's blue butterfly. The take would occur in association with the repair of a concrete slab under two 40,000-gallon water tanks, stabilization of a failing vegetated slope, and revegetation and restoration of the slope and staging area on approximately 1.1 acres. The HCP includes avoidance and minimization measures for the Smith's blue butterfly and mitigation for unavoidable loss of habitat. As mitigation for habitat loss, the applicant proposes to revegetate the staging area and stabilize the slope with native coastal sage scrub seed. The applicant also proposes to conduct 5 years of restoration monitoring and invasive species control throughout the revegetated areas to improve the quality of species habitat in the project area.

The Service prepared the draft CatEx in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) to

evaluate the potential effects to the natural and human environment resulting from issuing the ITP under the plan.

### 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 view, we cannot guarantee that we will be able to do so.

### Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

### Stephen Henry,

Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

[201A2100DD/AAKC001030/  
A0A501010.999900]

### Phase I Negative Proposed Finding on the Fernand o Tataviam Band of Mission Indians

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice of Proposed Finding.

**SUMMARY:** The Office of Federal Acknowledgment (OFA) within the Office of the Assistant Secretary—Indian Affairs (AS-IA) within the Department of the Interior (Department) hereby provides notice that OFA has issued a Phase I negative Proposed Finding (PF) in response to the petition it received from the group known as the Fernand o Tataviam Band of Mission Indians (FTB), headquartered in San Fernando, California. The petitioner seeks Federal acknowledgment as an Indian Tribe under the Department's regulations. The OFA has found that FTB meets only three of the four mandatory criteria reviewed under the Phase I review, as defined by the regulations.

**DATES:** Comments on this Phase I negative PF are due on or before October 14, 2020.

**ADDRESSES:** Please address comments on the PF to the Department of the Interior, Office of the Assistant Secretary—Indian Affairs, Attn: Office of Federal Acknowledgment, 1849 C Street NW, MS-4071 MIB, Washington, DC 20240.

Any individuals or entities that make submissions to OFA must also provide copies of their comments and evidence to the petitioner at Fernand o Band of Mission Indians c/o Rudy Ortega, Jr., 1019 Second Street, #1, San Fernando, California 91340. Electronic copies of the PF, as well as other related documents, are available on OFA's website ([www.bia.gov/as-ia/ofa](http://www.bia.gov/as-ia/ofa)).

**FOR FURTHER INFORMATION CONTACT:** R. Lee Fleming, Director, Office of Federal Acknowledgment, (202) 513-7650; [lee.fleming@bia.gov](mailto:lee.fleming@bia.gov).

**SUPPLEMENTARY INFORMATION:** The OFA publishes this notice pursuant to § 83.34 of the Department's Federal acknowledgment regulations at 25 CFR part 83 (which became effective July 31, 2015), "Procedures for Federal Acknowledgment of Indian Tribes."

The Department's regulations under 25 CFR part 83 establish the procedures and criteria by which a group may seek Federal acknowledgment as an Indian Tribe, establishing a government-to-government relationship with the United States. To obtain Federal acknowledgment by the United States under § 83.5, the petitioner must submit evidence documenting that the group meets criteria § 83.11(a) *Indian entity identification*, (d) *Governing document*, (e) *Descent*, (f) *Unique membership*, and (g) *Congressional termination* and must either:

- Demonstrate previous Federal acknowledgment under § 83.12(a) and meet the requirements of § 83.12(b); or
- Meet criteria § 83.11(b) *Community* and (c) *Political authority*.

Section 83.26 describes the two phases of the process for reviewing the criteria in § 83.11. During the Phase I review, OFA determines if the petitioner meets criteria § 83.11(d), (e), (f), and (g). Based on the evidence submitted by FTB and evidence Departmental staff obtained through its verification and evaluation process, OFA has found that FTB meets only three of the four mandatory criteria under the Phase I review: Criteria § 83.11(d), (f), and (g). FTB does not meet criterion § 83.11(e). Therefore, OFA has issued a negative PF, which contains a summary of the evidence, reasoning, and analyses that are the basis for the PF.

Under § 83.34(a), OFA will provide copies of the Phase I negative PF and any supporting reports to the petitioner.

This provision also requires OFA to provide copies of the PF and any supporting reports to individuals and entities listed in § 83.22(d).

Under § 83.34(b), OFA will publish the PF and any supporting reports on its website at <https://www.bia.gov/as-ia/ofa>. Requests for a copy of PF should be addressed to the Federal Government as instructed in the **ADDRESSES** section of this notice.

Publication of this notice of the PF in the **Federal Register** initiates a 120-day comment period. During this comment period, the petitioner or any individual or entity may submit comments and evidence to OFA to rebut or support the PF, pursuant to § 83.35(a). Copies of comments on the PF submitted to OFA should also be provided to the petitioner, as required by § 83.35(b) and as instructed in the **ADDRESSES** section of this notice by the date listed in the **DATES** section of this notice.

If OFA receives comments on this PF, then the petitioner will have 60 days to submit a written response to those comments, with citations to and explanations of supporting evidence, and the supporting evidence cited and explained in the response, pursuant to § 83.37. After the expiration of that comment period, the petitioner will have 60 days to elect to challenge the PF before an administrative law judge, as outlined in §§ 83.38 through 83.39.

A petitioner can withdraw its documented petition at any point in the process, but the petition will be placed at the end of the numbered register of documented petitions upon resubmission and may not regain its initial priority number, pursuant to § 83.30.

The Director of the Office of Federal Acknowledgment R. Lee Fleming approved the issuance of OFA's Phase I negative PF.

**Robert Fleming,**

*Director, Office of Federal Acknowledgment.*

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**BILLING CODE 4337-15-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[20XLLAZ941200.L1440000.ET0000;  
AZA30749]

#### Notice of Application for Proposed Withdrawal Extension and Notification of Public Meeting, San Francisco Peaks/Mount Elden Recreation Area, Arizona

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The Bureau of Land Management (BLM) is providing notice of an application from the United States Forest Service (USFS) requesting that Public Land Order (PLO) 7467 be extended for an additional 20-year term. PLO 7467 withdrew 74,689 acres of National Forest System lands in the Coconino National Forest, San Francisco Peaks/Mount Elden Recreation Area, Arizona. The PLO withdrew these lands from settlement, sale, location, or entry under the general land laws and the United States mining laws, but not from leasing under the mineral leasing laws. This notice also gives the public the opportunity to comment on the withdrawal extension application, and announces the date, time, and venue for a virtual public meeting.

**DATES:** Comments must be received by September 14, 2020. The USFS will hold a virtual public meeting in connection with the proposed withdrawal extension on August 17, 2020, at 5:00 p.m. The USFS will publish the date and instructions about how to access the online public meeting in the *Arizona Daily Sun* (Flagstaff) and the *Arizona Republic* (Phoenix Metropolitan area) newspapers a minimum of 15 days prior to the meetings.

**ADDRESSES:** All comments should be sent to the BLM Arizona State Office, One North Central, Suite 800, Phoenix, Arizona 85004; faxed to 602-417-9452; or sent by email to [BLM\\_AZ-Withdrawal\\_Comments@blm.gov](mailto:BLM_AZ-Withdrawal_Comments@blm.gov). The BLM will not consider comments received via telephone calls.

**FOR FURTHER INFORMATION CONTACT:** Sara Ferreira, Land Law Examiner, BLM, at 602-417-9598; by email at [sferreir@blm.gov](mailto:sferreir@blm.gov); or you may contact the BLM office at the address noted above. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** The USFS has filed an application to extend for an additional 20-year term a withdrawal established by PLO 7467 (65 FR 61180), which will expire on October 15, 2020. The legal descriptions written in PLO 7467 are revised to reflect the Cadastral Survey's Specifications for Descriptions of Land:

#### Gila and Salt River Meridian, Arizona

- T. 21 N., R. 7 E.,  
sec. 1;  
sec. 2, excepting H.E.S. No. 86.
- T. 21 N., R. 8 E.,  
sec. 6, excepting SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
S<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>.
- T. 22 N., R. 6 E.,  
secs. 1 thru 3;  
sec. 4, excepting SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>;  
secs. 9 thru 11;  
sec. 12, excepting NW<sup>1</sup>/<sub>4</sub>;  
sec. 13, N<sup>1</sup>/<sub>2</sub>;  
secs. 14 and 15;  
sec. 16, E<sup>1</sup>/<sub>2</sub>.
- T. 22 N., R. 7 E.,  
secs. 1 thru 18;  
secs. 20 thru 26;  
sec. 27, excepting NE<sup>1</sup>/<sub>4</sub>;  
secs. 28 and 29;  
sec. 32, N<sup>1</sup>/<sub>2</sub>;  
sec. 33, N<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>,  
SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;  
sec. 34, N<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;  
secs. 35 and 36.
- T. 22 N., R. 8 E.,  
secs. 5 thru 7;  
sec. 8, excepting E<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>;  
sec. 17, excepting N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>;  
secs. 18 and 19;  
sec. 20, excepting S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, S<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>;  
sec. 29, excepting E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>;  
secs. 30 and 31;  
sec. 32, N<sup>1</sup>/<sub>2</sub>, N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>, N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>.
- T. 23 N., R. 6 E.,  
sec. 8, lots 1, 2, 7, and 8;  
sec. 9;  
sec. 10, excepting W<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>,  
SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>, E<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>,  
NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>;  
sec. 11, excepting  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>;  
sec. 12;  
sec. 13, excepting SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
W<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>;  
sec. 14, excepting N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,  
N<sup>1</sup>/<sub>2</sub>NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub>,