

*Comment submission:* You may submit written comments by one of the following methods:

- *Internet:* <http://www.regulations.gov>. Search for and submit comments on Docket No. FWS-R6-ES-2020-0014.

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-R6-ES-2020-0014; U.S. Fish and Wildlife Service Headquarters, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:**

Drue DeBerry, 303-236-4774 (telephone). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the Fish and Wildlife Service (Service), announce the availability of documents related to an incidental take permit (ITP) application under the Endangered Species Act of 1973, as amended (ESA 16 U.S.C. 1531 *et seq.*). We have received an application from TransCanada Keystone Pipeline, L.P. (Keystone) for a 50-year ITP for take of the federally endangered American burying beetle (*Nicrophorus americanus*) incidental to otherwise lawful activities associated with construction, operation, and maintenance of its Keystone XL pipeline project, in Tripp County, South Dakota, and Antelope, Boyd, Brown, Cherry, Holt, Keya Paha Counties, Nebraska. Keystone has proposed a conservation program to minimize and mitigate for the impacts of the incidental take as described in its Draft Keystone XL Pipeline American Burying Beetle Habitat Conservation Plan (HCP). Pursuant to the ESA and the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*), we announce the availability of Keystone's ITP application, including its HCP, and the Service's draft environmental assessment, for public review and comment. We provide this notice to seek comments from the public and Federal, Tribal, State, and local governments.

**Background**

Section 9 of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the ESA as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct" (16 U.S.C. 1538). However, under section 10(a) of the ESA, we may issue permits

to authorize incidental take of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity.

**Applicant's Proposed Project**

Keystone is seeking a permit for the incidental take of the federally endangered American burying beetle for a term of 50 years. Incidental take of this species may occur due to construction, operation, and maintenance of the pipeline and associated electric infrastructure. The proposed conservation strategy in the applicant's proposed HCP is designed to avoid, minimize, and mitigate the impacts of the covered activity on the covered species. The biological goals and objectives are to avoid or minimize potential take of American burying beetle and to provide permanent habitat conservation mitigation measures for American burying beetles to offset any unavoidable impacts during construction, operation, and maintenance of the project.

The HCP provides avoidance and minimization measures, which include measures to minimize impacts prior to construction and restoration of habitat after impacts. The estimated level of American burying beetle take from the project is 551 American burying beetles over the 50-year project duration, which would occur in Tripp County, South Dakota, and Antelope, Boyd, Holt, and Keya Paha Counties, Nebraska. To offset unavoidable impacts to the American burying beetle, Keystone will acquire, protect, and manage a minimum of 1,035 acres of American burying beetle habitat in perpetuity. These mitigation lands are expected to be acquired in Brown and/or Cherry Counties, Nebraska.

**National Environmental Policy Act**

The issuance of an ITP triggers the need for compliance with NEPA. We have prepared a draft EA that analyzes the environmental impacts on the human environment resulting from two alternatives: A no-action alternative and the proposed action, and also addresses alternatives that were considered but that were dismissed from further consideration.

**Next Steps**

We will evaluate the HCP and comments we receive to determine whether the permit application meets the requirements of section 10(a) of the ESA. We will also evaluate whether issuance of a section 10(a)(1)(B) permit would appreciably reduce the likelihood of survival and recovery of

the species in the wild by conducting an intra-Service section 7 consultation. We will use the results of our intra-Service consultation, in combination with the above findings, in our final analysis to determine whether to issue a permit. If the requirements are met, we will issue the permit to the applicant.

**Public Availability of Comments**

We will post all public comments and information received electronically or via hardcopy at <http://regulations.gov>. All comments received, including names and addresses, will become part of the administrative record and will be available to the public. Before including your address, phone number, electronic mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—will be publicly available. If you submit a hardcopy comment 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. 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 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).

Nicole Alt,

*Acting Assistant Regional Director, Ecological Services, Mountain-Prairie Region.*

[FR Doc. 2020-17887 Filed 8-14-20; 8:45 am]

**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[Docket No. FWS-R4-ES-2020-0090; FXES11140400000-178-FF04EF2000]

**Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-Tailed Mole Skink, Polk County, FL; Categorical Exclusion**

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

**ACTION:** Notice of availability; request for comments and information.

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Tampa Electric Company (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink and blue-tailed mole skink incidental to the construction of an electrical power substation in Polk County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

**DATES:** We must receive your written comments on or before September 16, 2020.

**ADDRESSES:**

*Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS-R4-ES-2020-0090 at <http://www.regulations.gov>.

*Submitting Comments:* If you wish to submit comments on any of the documents, you may do so in writing by any of the following methods:

- *Online:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2020-0090.

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2020-0090; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:** Lindsay Nester, by telephone at 772-469-4226 or via email at [lindsay\\_nester@fws.gov](mailto:lindsay_nester@fws.gov). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the Fish and Wildlife Service, announce receipt of an application from Tampa Electric Company (applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed sand skink (*Neoseps reynoldsi*) and blue-tailed mole skink (*Eumeces egregius lividus*) (skinks) incidental to the construction of an electrical power substation in Polk County, Florida. We request public comment on the application, which

includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). To make this determination, we used our environmental action statement and low-effect screening form, which are also available for public review.

**Project**

Tampa Electric Company requests a 10-year ITP to take skinks through the conversion of approximately 0.233 acres of occupied skink foraging and sheltering habitat incidental to the construction of an electrical power substation located on a 3.13-acre parcel in Section 17, Township 27 South, Range 25 East in Polk County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 0.47 acres of skink-occupied habitat from a Service-approved conservation bank in Polk County. The Service would require the applicant to purchase the credits prior to engaging in any phase of the project.

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment, including your personal identifying information, may be made available to the public. While you may request that we withhold your personal identifying information, we cannot guarantee that we will be able to do so.

**Our Preliminary Determination**

The Service has made a preliminary determination that the applicant's project, including land clearing, construction of an electrical substation, and the proposed mitigation measure, would individually and cumulatively have a minor or negligible effect on the skinks and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion, and the HCP would be low effect under our NEPA regulations at 43 CFR 46.205 and 46.210. A low-effect HCP is one that would result in (1) minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) minor or negligible effects on other environmental values or resources; and (3) impacts that, when considered together with the impacts of other past, present, and reasonable foreseeable similarly situated projects, would not result in significant cumulative effects

to environmental values or resources over time.

**Next Steps**

The Service will evaluate the application and the comments to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding matters, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number TE77447D-0 to Tampa Electric Company.

**Authority**

The Service provides this notice under section 10(c) (16 U.S.C. 1539(c)) of the ESA and NEPA regulation 40 CFR 1506.6.

**Roxanna Hinzman,**

*Field Supervisor, South Florida Ecological Services Office.*

[FR Doc. 2020-17885 Filed 8-14-20; 8:45 am]

**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[20X.LLWO220000.L1020000.PK0000; OMB Control Number 1004-0041]

**Agency Information Collection Activities; Authorizing Grazing Use**

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

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, we, the Bureau of Land Management (BLM) are proposing to renew an information collection.

**DATES:** Interested persons are invited to submit comments on or before October 16, 2020.

**ADDRESSES:** Send your comments on this information collection request (ICR) by mail to Chandra Little, U.S. Department of the Interior, Bureau of Land Management, 1849 C Street NW, Room 2134LM, Washington, DC 20240; or by email to [cclittle@blm.gov](mailto:cclittle@blm.gov). Please reference Office of Management and Budget (OMB) Control Number 1004-0041 in the subject line of your comments.

**FOR FURTHER INFORMATION CONTACT:** To request additional information about this ICR, contact Brian Thrift by email at [bthrift@blm.gov](mailto:bthrift@blm.gov), or by telephone at