

The applicant has agreed to include the following minimization measures:

- Feathering turbine blades at all projects below manufacturer's cut-in speeds at night for the entire active season for bats. Feathering below cut-in speeds is a way of minimizing the rotational speed of turbine blades when not producing energy.
- Minimizing the rotational speed of turbine blades until wind speeds reach 5.0 meters per second when temperatures are above 50 degrees Fahrenheit from mid-July through September at four facilities with the highest risk to covered bat species.
- Removing carrion and increasing landowner education efforts to reduce attractants to bald eagles.
- Carrying out a fatality monitoring and adaptive management program to adjust conservation measures if needed to ensure compliance with the ITP and HCP.

The mitigation measures include the following commitments:

- Protecting and restoring a minimum of 1,309 acres of bat habitat and 42 artificial structures for bat use.
- Protecting and restoring additional bat habitat up to a total of 3,200 acres, and 50 artificial structures, if needed, to compensate for projected future take based on the monitoring program results.
- Providing funding to manage and monitor all mitigation lands.
- Providing funding for conservation activities to immediately benefit bald eagles to mitigate for take of bald eagles.
- Providing mitigation funding in advance of take so that mitigation implementation stays ahead of impacts to covered species.

### Background

The applicant has applied for an ITP under the ESA that would authorize incidental take of four bat species and bald eagles and would be in effect for a period of 30 years. The proposed incidental take of bats and eagles would occur from lawful, non-Federal activities from the applicant's operation of existing wind energy generation facilities within the permit area. The HCP permit area includes lands used for operations of 22 projects in Iowa where the applicant has existing wind power facilities. The plan area includes the permit area, and also the rest of Iowa, to include all areas that may be influenced by the HCP, including mitigation activities. The final EIS considers the direct, indirect, and cumulative effects of implementing the HCP, including measures to minimize and mitigate such impacts to the maximum extent practicable.

Section 9 of the ESA and its implementing regulations prohibit the "take" of animal species listed as endangered or threatened. (16 U.S.C. 1538) *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. 1532(19)). Under section 10(a)(1)(B) of the ESA, the Service 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.

Section 10(a)(1)(B) of the ESA contains provisions for issuing incidental take permits to non-Federal entities for the incidental take of endangered and threatened species, provided the following criteria are met: (a) The taking will be incidental; (b) the applicant will minimize and mitigate, to the maximum extent practicable, the impact of such taking; (c) the applicant will develop an HCP and ensure that adequate funding for the plan will be provided; (d) the taking will not appreciably reduce the likelihood of the survival and recovery of the species in the wild; and (e) the applicant will carry out any other measures that the Secretary of the Interior may require as being necessary or appropriate for the purposes of the HCP. An applicant may choose to cover non-listed species in the HCP, and these species will be treated as ESA-listed species.

On August 31, 2018, we published a **Federal Register** notice announcing the availability for public review of a draft EIS and requested public comment on our evaluation of the potential impacts associated with issuance of an ITP for implementation of the HCP and to evaluate alternatives (83 FR 44652). In September and October 2018, we held two public hearings on the draft document, one in Ankeny, Iowa, and one via online web conference. The public comment period closed on October 15, 2018. We received 93 comments in total: 87 through *regulations.gov*, 5 comments via email, 2 comments during the in-person public hearing, and 1 through the U.S. mail. The final EIS provides responses to those comments in Appendix E.

### Decision

We intend to issue a final ROD with respect to whether we issue an ITP allowing the applicants to implement the *Iowa Wind Energy Project Portfolio Habitat Conservation Plan*. Our decision will be based on a thorough review of the alternatives and their environmental consequences. A decision to issue an

ITP would be based on the commitment by MidAmerican Energy Company to fully implement the HCP, including minimization and mitigation measures, monitoring and adaptive management, and to fully comply with all terms and conditions in the ITP.

A final ITP decision will be made no sooner than 30 days after the publication of this notice of availability and completion of the record of decision.

### EPA's Role in the EIS Process

In addition to this notice, EPA is publishing a notice in the **Federal Register** announcing final EIS for MidAmerican Energy Company's *Iowa Wind Energy Project Portfolio Habitat Conservation Plan*, as required under the Clean Air Act, section 309. The EPA is charged with reviewing all Federal agencies' EISs and commenting on the adequacy and acceptability of the environmental impacts of proposed actions in EISs.

The EPA also serves as the repository (EIS database) for EISs that Federal agencies prepare. All EISs must be filed with EPA, which publishes a notice of availability on Fridays in the **Federal Register**. For more information, see <https://www.epa.gov/nepa>. You may search for EPA comments on EISs, along with EISs themselves, at <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

### Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1539(c)) and its implementing regulations (50 CFR 17.22) and the NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6; 43 CFR part 46).

Lori Nordstrom,

Acting Regional Director.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2019-N136;  
FXES1113080000-178-FF08E00000]

### 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 or threatened 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 on or before November 6, 2019.

**ADDRESSES:** *Document availability and comment submission:* Submit requests for copies of the applications and related documents and submit any comments by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (e.g., TEXXXXXX).

- *Email:* [permitsr8es@fws.gov](mailto:permitsr8es@fws.gov).
- *U.S. Mail:* Daniel Marquez,

Endangered Species Program Manager, U.S. Fish and Wildlife Service, 2800 Cottage Way, Room W-2606, Sacramento, CA 95825.

**FOR FURTHER INFORMATION CONTACT:** Daniel Marquez, via phone at 760-431-

9440, via email at [permitsr8es@fws.gov](mailto:permitsr8es@fws.gov), or via the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered or threatened under the ESA.

**Background**

With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA’s definition of “take” includes such activities as pursuing, harassing, trapping, capturing, or collecting in addition to hunting, shooting, harming, wounding, or killing.

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

propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations 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**

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Activity	Type of take	Permit action
TE-062907 ....	Andrew Forde, Camarillo, California.	<ul style="list-style-type: none"> <li>• Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>).</li> </ul>	CA .....	Nest monitoring.	Nest monitoring.	Amend.
TE-55035D ....	Adam Crawford, Sharon, Massachusetts.	<ul style="list-style-type: none"> <li>• California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segments (DPSs)) (<i>Ambystoma californiense</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, and release.	New.
TE-813545 ....	Brock Ortega, Poway, California.	<ul style="list-style-type: none"> <li>• Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>).</li> <li>• Quino checkerspot butterfly (<i>Euphydryas editha quino</i>).</li> <li>• Casey’s June Beetle (<i>Dinacoma caseyi</i>).</li> <li>• Conservancy fairy shrimp (<i>Branchinecta conservatio</i>).</li> <li>• Longhorn fairy shrimp (<i>Branchinecta longiantenna</i>).</li> <li>• San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>).</li> <li>• Riverside fairy shrimp (<i>Streptocephalus woottoni</i>).</li> <li>• Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, release, and collect vouchers.	Renew and amend.
TE-55068D ....	Allie Sennett, Sacramento, California.	<ul style="list-style-type: none"> <li>• California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segments (DPSs)) (<i>Ambystoma californiense</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, and release.	New.

Application No.	Applicant, city, state	Species	Location	Activity	Type of take	Permit action
TE-25164A ....	Catherine Little, Davis, California.	<ul style="list-style-type: none"> <li>California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segments (DPSs)) (<i>Ambystoma californiense</i>).</li> <li>Conservancy fairy shrimp (<i>Branchinecta conservatio</i>).</li> <li>Longhorn fairy shrimp (<i>Branchinecta longiantenna</i>).</li> <li>San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>).</li> <li>Riverside fairy shrimp (<i>Streptocephalus woottoni</i>).</li> <li>Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, release, and collect vouchers.	Renew and amend.
TE-038701 ....	Bonnie Peterson, Lakeside, California.	<ul style="list-style-type: none"> <li>Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>).</li> <li>Quino checkerspot butterfly (<i>Euphydryas editha quino</i>).</li> <li>Light-footed clapper rail (light-footed Ridgway's r.) (<i>Rallus longirostris levipes</i>) (<i>R. obsoletus l.</i>).</li> </ul>	CA .....	Survey and band.	Survey, pursue, capture, handle, band, and release.	Renew.
TE-55135D ....	Adam Lockyer, Fallbrook, California.	<ul style="list-style-type: none"> <li>Southwestern willow flycatcher (<i>Empidonax traillii extimus</i>).</li> </ul>	CA, NV, AZ ...	Survey .....	Survey .....	New.
TE-049461 ....	Jaymee Marty, Sacramento, California.	<ul style="list-style-type: none"> <li>California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segments (DPSs)) (<i>Ambystoma californiense</i>).</li> <li>Conservancy fairy shrimp (<i>Branchinecta conservatio</i>).</li> <li>Longhorn fairy shrimp (<i>Branchinecta longiantenna</i>).</li> <li>San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>).</li> <li>Riverside fairy shrimp (<i>Streptocephalus woottoni</i>).</li> <li>Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, release, and collect vouchers.	Renew.
TE-94998A ....	Leonard Liu, Oakland, California.	<ul style="list-style-type: none"> <li>Salt marsh harvest mouse (<i>Reithrodontomys raviventris</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, and release.	Amend.
TE-92462A ....	Ryan Quilley, San Diego, California.	<ul style="list-style-type: none"> <li>Quino checkerspot butterfly (<i>Euphydryas editha quino</i>).</li> </ul>	CA .....	Survey .....	Pursue .....	Renew and amend.
TE-55171D ....	Matthew Schliebe, San Diego, California.	<ul style="list-style-type: none"> <li>Conservancy fairy shrimp (<i>Branchinecta conservatio</i>).</li> <li>Longhorn fairy shrimp (<i>Branchinecta longiantenna</i>).</li> <li>San Diego fairy shrimp (<i>Branchinecta sandiegonensis</i>).</li> <li>Riverside fairy shrimp (<i>Streptocephalus woottoni</i>).</li> <li>Vernal pool tadpole shrimp (<i>Lepidurus packardii</i>).</li> </ul>	CA .....	Survey .....	Survey, capture, handle, release, and collect vouchers.	New.

### Public Availability of Comments

Written comments we receive 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.

### Next Steps

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

### Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

### Peter Erickson,

*Acting Chief of Ecological Services, Pacific Southwest Region, Sacramento, California.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-ES-2019-N139;  
FXES11140400000-190-FF04E00000]

### Endangered Species; 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 of 1973, as amended. 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 written data or comments on the applications by November 6, 2019.

**ADDRESSES:** *Reviewing Documents:* Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act. Submit a request for a copy of such documents to Karen Marlowe (see **FOR FURTHER INFORMATION CONTACT**).

*Submitting Comments:* If you wish to comment, you may submit comments by one of the following methods:

- *U.S. mail or hand-delivery:* U.S. Fish and Wildlife Service Regional Office, Ecological Services, 1875 Century Boulevard, Atlanta, GA 30345 (Attn: Karen Marlowe, Permit Coordinator).

- *Email:* [permitsR4ES@fws.gov](mailto:permitsR4ES@fws.gov). Please include your name and return address in your email message. If you do not receive a confirmation from the U.S. Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed in **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** Karen Marlowe, Permit Coordinator, 404-679-7097 (telephone), [karen\\_marlowe@fws.gov](mailto:karen_marlowe@fws.gov) (email), or 404-679-7081 (fax). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We invite review and comment from local, State, and Federal agencies and the public on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*),

and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activities. The ESA's definition of "take" includes hunting, shooting, harming, wounding, or killing, and also such activities as pursuing, harassing, trapping, capturing, or collecting.

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### Permit Applications Available for Review and Comment

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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.