with the cumulative effects of other permitted take and additional factors affecting eagle populations, are compatible with the preservation of bald eagles and golden eagles.

Proposed Action

The permit applicant, Northern States Power Company—Minnesota, doing business as Xcel Energy, is operating an approximately 200.5-megatwatt commercial wind energy facility in Stutsman County, North Dakota. The 100-turbine project, sited entirely on private land, became operational on December 1, 2016.

The applicant developed an ECP based on our guidance contained in the *Eagle Conservation Plan Guidance Module 1: Land-Based Wind Energy Version 2* (*Service 2013*) (ECP Guidance) (*https://www.fws.gov/migratorybirds/pdf/management/eagleconservationplanguidance.pdf*).

As recommended in the Service's ECP Guidance, the applicant's plan outlines avoidance and minimization measures, contains a risk assessment, and includes advanced conservation practices and adaptive management. The applicant submitted the ECP as part of the permit application, and if we issue the permit, then the conservation commitments would become conditions of the permit.

The Service independently evaluated the risk of bald eagle fatalities from project operations and compared that risk to the conservation measures to which the applicant committed. We used our Collision Risk Model to estimate the number of annual bald eagle fatalities resulting from operation and maintenance of the project. This is an essential step in the Service's evaluation of an application for a permit for take of eagles because issuing criteria require permitted take to comply with the Eagle Act's preservation standard. In the DEA, we evaluate the risk and offsetting conservation measures, and the implications for direct, indirect, and cumulative effects of issuing a permit and a No Action alternative.

National Environmental Policy Act Compliance

Our consideration of whether or not to issue a 5-year ETP is an action subject to the National Environmental Policy Act (NEPA). Our DEA analyzes the risk of bald eagle take associated with operation and maintenance of the project, and assesses the potential effects of permit issuance and a No Action alternative (*i.e.,* do not issue an ETP) on the human and natural environment.

Public Comments

We invite public comment on the proposed DEA. If you wish, you may submit comments by any one of the methods discussed in **ADDRESSES**. We will consider public comments on the DEA when making the final determination on NEPA compliance and permit issuance.

Public Availability of Comments

All comments and materials we receive become part of the public 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 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. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of 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

The public process for the proposed Federal permit action will be completed after the public comment period, at which time we will evaluate the permit application and comments submitted thereupon to determine whether the application meets the permitting requirements under the Eagle Act, applicable regulations, and NEPA requirements. Upon completion of that evaluation, we will select our course of action.

Authority

We provide this notice under section 668a of the Eagle Act (16 U.S.C. 668–668d) and the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.300).

Matt Hogan,

Deputy Regional Director, USFWS Mountain-Prairie Region, Lakewood, Colorado.

[FR Doc. 2018–10629 Filed 5–17–18; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R8–R–2018–N008; FF08RSDC00–189–F1611MD–FXRS12610800000]

Otay River Estuary Restoration Project, South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge, California; Final Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; final environmental impact statement.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce the availability of a final environmental impact statement (EIS) for a proposed project to restore coastal wetlands at the south end of San Diego Bay. The Otay River Estuary Restoration Project is located within the South San Diego Bay Unit of the San Diego Bay National Wildlife Refuge (NWR) in San Diego County, California. This notice advises the public that the final EIS is now available to the public. The final EIS describes the alternatives identified to restore two portions of the South San Diego Bay Unit of the San Diego Bay NWR to coastal wetlands to benefit native fish, wildlife, and plant species.

ADDRESSES: *Document Availability:* You may obtain copies of the EIS and related documents in the following places:

- *Internet: https://www.fws.gov/refuge/San_Diego_Bay/what_we_do/Resource_Management/Otay_Restoration.html.*
- *In Person:*
  - San Diego National Wildlife Refuge Complex Headquarters, 1080 Gunpowder Point Drive, Chula Vista, CA 91910; telephone: 619–476–9150, extension 103.
  - Chula Vista Public Library, Civic Center Branch, 365 F Street, Chula Vista, CA 91910; telephone: 619–691–5069.
  - San Diego County Library, Imperial Beach Branch Library, 810 Imperial Beach Blvd. Imperial Beach, CA 91932; telephone: 619–424–6981.
  - Chula Vista Public Library, South Chula Vista Branch, 389 Orange Avenue, Chula Vista, CA 91911; telephone: 619–585–5755.

FOR FURTHER INFORMATION CONTACT: Brian Collins, Refuge Manager, San Diego Bay National Wildlife Refuge at 619–575–2704, extension 302 (telephone) or *brian_collins@fws.gov* (email); or Andy Yuen, Project Leader, 619–476–9150, extension 100 (telephone), or *andy_yuen@fws.gov* (email).

SUPPLEMENTARY INFORMATION:

National Environmental Policy Act Compliance

We are conducting environmental review for the proposed Otay River Estuary Restoration Project in accordance with the requirements of the National Environmental Policy Act, as amended (NEPA; 42 U.S.C. 4321 *et seq.*), its implementing regulations in 40 CFR 1500–1508), other applicable regulations, and our procedures for compliance with those regulations. The U.S. Army Corps of Engineers is participating as a cooperating agency in preparation of the EIS. On November 14, 2011, we published in the **Federal Register** a notice of intent to prepare an environmental impact statement (EIS) for the Otay project (76 FR 70480). Based on information developed after the scoping period, the proposed area of the project was expanded, so on January 8, 2013, we published a notice to reinitiate the scoping process (78 FR 1246). We announced the availability of the draft EIS for public comment on October 21, 2016 (81 FR 72817), and reopened the comment period on December 27, 2016 (81 FR 95176). In accordance with 40 CFR 1506.6, we now announce the availability of the final EIS.

In addition to our publication of this notice, the U.S. Environmental Protection Agency (EPA) is publishing a notice announcing the final EIS, as required under section 309 of the Clean Air Act (42 U.S.C. 7401 *et seq.*). The publication date of EPA's notice of availability in the **Federal Register** is the start of the 30-day wait period required for the final EIS. (See EPA's Role in the EIS Process, below, for further information.)

We will make a decision on the alternatives presented in the EIS no sooner than 30 days after the publication of the final EIS. We anticipate issuing a Record of Decision (ROD) in 2018.

Background

In 2006, we completed a comprehensive conservation plan (CCP) and EIS/ROD to guide the management of the San Diego Bay NWR over a 15-year period (71 FR 64552, November 2, 2006). The wildlife and habitat management goal of the selected management alternative in the CCP for the South San Diego Bay Unit is to ''Protect, manage, enhance, and restore . . . coastal wetlands . . . to benefit the native fish, wildlife, and plant species supported within the South San Diego Bay Unit.'' One of the strategies identified to meet this goal is to restore native habitats in the Otay River floodplain and the salt ponds.

On November 15, 2007, the California Coastal Commission (Commission) approved a coastal development permit (CDP No. E–06–013) for a proposal by Poseidon Resources (Channelside) LP (Poseidon) to construct and operate a desalination facility in Carlsbad, California. As part of that approval, the Commission required Poseidon, through special condition 8, to submit for additional Commission review and approval a marine life mitigation plan (MLMP) to address the impacts to be caused by the facility's use of estuarine water and its entrainment of marine organisms. The MLMP was conditionally approved by the Commission on August 6, 2008 (CCC 2008). With the incorporation of the Commission's revisions, the MLMP was finalized on November 21, 2008. The MLMP requires that Poseidon submit a proposed mitigation site and preliminary restoration plan that achieves the following mitigation requirements:

- Create or substantially restore tidal wetland habitat, preferably in the San Diego Region;
- Restore at least 66.4 acres of coastal wetland habitat as mitigation at a maximum of two sites;
- The chosen site must be available and protected against future degradation; and
- Fish productivity must be at least 1,717.5 kg/year.

Project

On September 29, 2010, the San Diego NWR Complex and Poseidon entered into a memorandum of understanding to establish a partnership to facilitate the restoration of property within the San Diego Bay NWR, consistent with the CCP and the Commission's permit requirements for Poseidon. The proposed restoration project represents step-down restoration planning for the western portion of the Otay River floodplain and one of the salt ponds within the Refuge's solar salt pond complex. Funding for the proposed restoration is being provided by the Poseidon Resources Carlsbad Desalination Project to fulfill part of the mitigation requirements imposed by the Commission and the Regional Water Quality Control Board for the construction of a desalination plant in Carlsbad.

The proposed action site is located at the south end of San Diego Bay, San Diego County, California, within the South San Diego Bay Unit of the San Diego Bay NWR. Restoration activities will occur at two separate locations within the Refuge: The Otay River Floodplain Site and the Pond 15 Site. Specifically, the approximately 34-acre Otay River Floodplain Site is located west of Interstate 5 (I–5) between Main Street to the north and Palm Avenue to the south in San Diego. The Pond 15 Site consists of an approximately 91-acre active solar salt pond located in the northeast portion of the Refuge, to the northwest of the intersection of Bay Boulevard and Palomar Street in Chula Vista.

Alternatives

The site-specific EIS for the Otay project tiers from the 2006 programmatic EIS and ROD prepared for the Refuge CCP. We analyzed three alternatives in this final EIS:

Alternative A: No Action Alternative

Under the No Action Alternative, the disturbed areas within the Otay River Floodplain Site would not be restored or enhanced to coastal wetlands to benefit native species, and the Pond 15 Site would not be restored to tidally influenced subtidal and intertidal habitat. Under this alternative, Pond 15 would remain part of an existing commercial solar salt operation, and periodic maintenance to control non-native plants would continue to occur on the Otay River Floodplain Site in conjunction with ongoing management of the Refuge.

Alternative B: Intertidal Alternative (Proposed Action)

The Intertidal Alternative, Alternative B, is the proposed action. The proposed action would involve lowering the elevation and contouring the Otay River Floodplain Site to create approximately 29.8 acres of tidally influenced habitat, consisting of approximately 5.1 acres of intertidal mudflat and 24.7 acres of intertidal salt marsh habitat through altering elevations on the site. In addition, the restored area would include approximately 3.7 acres of upland habitat. The proposed action would also involve raising the elevation and contouring the Pond 15 Site to create approximately 10.4 acres of subtidal habitat, 18.4 acres of intertidal mudflat, 57.3 acres of intertidal salt marsh habitat, about 1 acre of high-tide refugia, and 3.9 acres of upland habitat. Both sites would be planted with a mix of native wetland vegetation that would mature into low-marsh, mid-marsh, and high-marsh vegetative communities. The intertidal areas and the unvegetated mudflat would provide foraging habitat for adult and juvenile fish, which then form the foraging base of the food chain

that would benefit larger fish, birds, and other species on and off the site.

Implementation of the proposed action would involve the excavation of approximately 320,000 cubic yards of material from the Otay River Site and the transport of 260,000 cubic yards of this material to the Pond 15 Site for use in creating tidal elevations that would support the desired intertidal habitats and improving levees to separate Pond 15 from the remaining active solar salt operation.

The combination of the wetlands created at the Otay River Floodplain Site and Pond 15 Site under the proposed action would provide sufficient mitigation credit to meet the MLMP requirements.

Alternative C: Subtidal Alternative

Alternative C, the Subtidal Alternative, would involve lowering the Otay River Floodplain Site to an elevation lower than that proposed under Alternative B (proposed action) to create a subtidal channel within the Otay River Floodplain Site. Under the Subtidal Alternative, the subtidal zone would be surrounded by mudflats and increasing elevation of salt marsh. Specifically, the Subtidal Alternative would involve lowering the elevation and contouring the Otay River Floodplain Site to create approximately 4.5 acres of subtidal habitat, approximately 6.5 acres of intertidal mudflat, 18.7 acres of intertidal salt marsh habitat, and approximately 3.7 acres of upland habitat. The Subtidal Alternative would also involve raising the elevation and contouring the Pond 15 Site to create tidally influenced habitat that would be similar to that proposed under Alternative B, with approximately 9.8 acres of subtidal habitat, 16.3 acres of intertidal mudflat, 58.7 acres of intertidal salt marsh, approximately 2.2 acres of high-tide refugia, and 4.0 acres of upland habitat. Both sites would be planted with a mix of native wetland vegetation that would mature into low-marsh, mid-marsh, and high-marsh vegetative communities. The subtidal areas would provide fish spawning and foraging habitat, and the unvegetated mudflat would provide foraging habitat for adult and juvenile fish during high tides. Combined, the subtidal and mudflat areas would provide habitat for the basis of the food chain that would benefit larger fish, birds, and other species on and off the site.

Implementation of the Subtidal Alternative would involve the excavation of approximately 370,000 cubic yards of material from the Otay River Site and the transport of 312,000 cubic yards of this material to the Pond 15 Site for use in creating tidal elevations that would support the desired intertidal habitats and improving levees to separate Pond 15 from the remaining active solar salt operation.

The combination of the wetlands created at the Otay River Floodplain Site and Pond 15 Site under the Subtidal Alternative would also provide sufficient mitigation credit to meet the MLMP requirements.

EPA's Role in the EIS Process

The EPA is charged, under section 309 of the Clean Air Act, to review all Federal agencies' EISs and to comment on the adequacy and the acceptability of the environmental impacts of proposed actions in the EISs.

EPA also serves as the repository for EISs prepared by Federal agencies and provides notice of their availability in the **Federal Register**. The Environmental Impact Statement (EIS) Database provides information about EISs prepared by Federal agencies, as well as EPA's comments concerning the EISs. All EISs are filed with EPA, which publishes a notice of availability on Fridays in the **Federal Register**.

The notice of availability is the start of the 30-day ''wait period'' for final EISs, during which agencies are generally required to wait 30 days before making a decision on a proposed action. 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.*

Paul Souza,

Regional Director, Pacific Southwest Region.

[FR Doc. 2018–10630 Filed 5–17–18; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–HQ–ES–2018–N063; FF09E42000 178 FXES11130900000]

Endangered and Threatened Species; Issuance of Enhancement of Survival and Incidental Take Permits January 2, 2017 Through December 29, 2017

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the U.S. Fish and Wildlife Service, in accordance with section 10(d) of the Endangered Species Act (ESA) as amended, provide a list to the public of the permits issued under sections 10(a)(1)(A) and 10(a)(1)(B) of the ESA. With some exceptions, the ESA prohibits take of listed species unless a Federal permit is issued that authorizes the taking or is exempted through section 7 of the ESA. Under section 10(a)(1)(A), we issue enhancement of survival permits in conjunction with candidate conservation agreements with assurances (CCAA) and safe harbor agreements (SHA). Section 10(a)(1)(A) also authorizes recovery permits, but this notice is limited to permits issued with CCAAs and SHAs; issued recovery permits will be summarized in a separate notice. Section 10(a)(1)(B) permits authorize take of endangered and threatened species incidental to otherwise lawful activities associated with habitat conservation plans. We provide this list to the public as a summary of our permit issuances for calendar year 2017.

FOR FURTHER INFORMATION CONTACT: For general information about the ESA permit process, contact Karen Anderson, 703–358–2301, *karen_anderson@fws.gov.* For information on specific permits, see the contact information below in Permits Issued.

SUPPLEMENTARY INFORMATION:

Background

Under the authority of section 10(a)(1)(A) of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.;* ESA), we have issued permits to conduct activities that provide a conservation benefit for endangered or threatened species, or for unlisted species should they become listed in the future, in response to permit applications that we received in conjunction with a CCAA or SHA.

Under section 10(a)(1)(B), we may issue permits for any taking otherwise prohibited by section 9 if such taking is incidental to, and not the purpose of, carrying out an otherwise lawful activity (known as an incidental take permit (ITP)) and the permit applicant submits a habitat conservation plan (HCP) that meets the permit issuance criteria under section 10(a)(2)(B). Typically, applicants seek an ITP to conduct activities such as residential and commercial development, infrastructure development or maintenance, and energy development projects that range in scale from small to landscape-level planning efforts.

We issued the permits listed below between January 17 and December 27, 2017. Under section 10(a)(1)(A), we issued each permit only after we determined that it was applied for in good faith, that granting the permit