

established with concurrence from the Service and the California Department of Fish and Wildlife if it is deemed appropriate and will not result in the alteration of nesting behaviors.

- Project-related landscaping will not include potentially invasive non-native plants.
- Lighting from the project site will not spill over into adjacent undisturbed native habitat.

#### Proposed Action and Alternatives

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed HCP, which includes measures to avoid, minimize, and mitigate impacts to the gnatcatcher. If we approve the permit, take of gnatcatcher would be authorized for the applicant's activities associated with the construction of the Calvary Chapel Santee project. In the proposed HCP, the applicant considers the No Action Alternative. Under the No Action Alternative, no incidental take of coastal California gnatcatcher resulting from habitat modification would occur, and no long-term protection and management would be afforded to the species. The No Action Alternative would not meet the primary goal of the proposed Project, which is to accommodate the existing church members and alleviate current overcrowded conditions. The parcel size is too small to accommodate alternate development configurations that would avoid incidental take.

#### Our Preliminary Determination

The Service has made a preliminary determination that approval of the HCP and issuance of an incidental take permit qualify for categorical exclusion under NEPA (42 U.S.C. 4321 *et seq.*), as provided by the Department of the Interior implementing regulations in part 46 of title 43 of the Code of Federal Regulations (43 CFR 46.205, 46.210, and 46.215), and that the HCP qualifies as a low-effect plan as defined by the Habitat Conservation Planning Handbook (December 2016).

We base our determination that a HCP qualifies as a low-effect plan on the following three criteria:

- (1) Implementation of the HCP would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats;
- (2) Implementation of the HCP would result in minor or negligible effects on other environmental values or resources; and
- (3) Impacts of the HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not

result, over time, in cumulative effects to environmental values or resources that would be considered significant.

Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. We will consider public comments in making the final determination on whether to prepare such additional documentation.

#### Next Steps

We will evaluate the proposed HCP and comments we receive to determine whether the permit application meets the requirements and issuance criteria under section 10(a) of the ESA (16 U.S.C. 1531 *et seq.*). We will also evaluate whether issuance of a section 10(a)(1)(B) incidental take permit would comply with section 7 of the ESA by conducting an intra-Service consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether or not to issue a permit. If the requirements and issuance criteria under section 10(a) are met, we will issue the permit to the applicant for incidental take of gnatcatcher.

#### Public Comments

If you wish to comment on the permit application, proposed HCP, and associated documents, you may submit comments by any of the methods noted in the ADDRESSES section.

#### 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 may 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.

#### Authority

We provide this notice under section 10 of the ESA (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

#### G. Mendel Stewart,

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R6-ES-2017-N174;  
FXES11130600000-189-FF06E00000]

### U.S. Endangered 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, invite the public to comment on applications for permits to conduct activities intended to enhance the propagation or survival of endangered species. With some exceptions, the Endangered Species Act of 1973, as amended (ESA), prohibits activities that constitute take of listed species unless a Federal permit is issued that allows such activity. The ESA also requires that we invite public comment before issuing these permits.

**DATES:** We must receive your written comments by April 9, 2018.

#### ADDRESSES:

*Document availability:* Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552), by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice (see **DATES**): U.S. Fish and Wildlife Service Regional Office, Ecological Services, [INSERT REGION-SPECIFIC ADDRESS], (Attn: [INSERT COORDINATOR'S NAME], Permit Coordinator).

*Submitting comments:* You may submit comments by one of the following methods. Please specify applicant name(s) and application number(s) to which your comments pertain (e.g., TE-XXXXXX).

- *Email:* [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov). Please refer to the respective permit number (e.g., Application No. TE-XXXXXX) in the subject line of your email message.

- *U.S. Mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486-DFC, Denver, CO 80225.

- *Hand-delivery, Pickup, or Viewing:* Call 303-236-4224 to make an appointment during regular business hours between 8 a.m. and 4 p.m. Monday through Friday, except Federal holidays, at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

**FOR FURTHER INFORMATION CONTACT:** Kathy Konishi, Recovery Permits

Coordinator, Ecological Services, 303–236–4224 (phone); [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 (16 U.S.C. 1531 *et seq.*; ESA) 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 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, city, state	Species	Location	Activity	Type of take	Permit action
TE106182–2 .....	Denver Botanic Gardens, Denver, CO.	<i>Eriogonum pelinophilum</i> (Clay-loving wild buckwheat), <i>Phacelia submutica</i> . (Mancos milk-vetch), <i>Phacelia formosula</i> (North Park phacelia), <i>Astragalus osterhoutii</i> (Osterhout milkvetch). <i>Ipomopsis polyantha</i> (Pagosa skyrocket). <i>Penstemon penlandii</i> (Penland beardtongue), <i>Pediocactus despainii</i> (San Rafael cactus).	Colorado, New Mexico, Utah.	Seed, fruit collection, bio samples, collect voucher specimens, propagation.	Remove and reduce to possession.	Renew.
TE064680–2 .....	Capitol Reef National Park, Torrey, UT.	<i>Hesperidanthus barnebyi</i> (Barneby reed-mustard), <i>Sclerocactus wrightiae</i> (Wright's fishhook cactus).	Utah .....	Seed, fruit collection, bio samples, collect voucher specimens.	Remove and reduce to possession.	Renew.
TE067486–2 .....	University of Nebraska, Lincoln, NE.	Pallid sturgeon ( <i>Scaphirhynchus albus</i> ).	Nebraska .....	Implant radio telemetry tags to track spawning migration in the Missouri River basin.	Capture, handle, and radio tag.	Renew.
TE66511C–0 .....	Milu S. Velardi, Denver, CO.	New Mexico meadow jumping mouse ( <i>Zapus hudsonius luteus</i> ).	Colorado, New Mexico.	Survey and monitor to determine baseline population numbers.	Capture and handle.	New.
TE68706C–0 .....	Christopher Guy, Bozeman, MT.	Pallid sturgeon ( <i>Scaphirhynchus albus</i> ).	Montana .....	Survey, monitor, collect bio samples to analyze pallid sturgeon reproduction in the Missouri River above Fort Peck Reservoir, Montana.	Capture and handle.	New.
TE98708A–2 .....	State of South Dakota Environmental Agency, Pierre, SD.	Topeka shiner ( <i>Notropis topeka</i> ) ..	South Dakota ....	Survey and monitor to determine baseline population numbers.	Capture and handle.	Renew.
TE64613B–2 .....	Andrew Phillips, Colorado Springs, CO.	Southwestern willow flycatcher ( <i>Empidonax traillii extimus</i> ).	Arizona, New Mexico, Texas, Utah, California, Nevada.	Survey and monitor to determine baseline population numbers.	Disturbance .....	Amend.
TE72607C–0 .....	New Century Environmental, LLC, Columbus, NE.	Interior least tern ( <i>Sternula antillarum athalassos</i> ).	Nebraska .....	Survey and monitor to determine baseline population numbers.	Disturbance .....	New.

#### 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. 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.

#### Contents of Public Comments

Please make your comments as specific as possible. Please confine your comments to issues for which we seek comments in this notice, and explain the basis for your comments. Include sufficient information with your comments 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.

#### 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.*)

**Michael Thabault,**

*Assistant Regional Director, Mountain-Prairie Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R2-ES-2017-N163;  
FXES11130200000-178-FF02ENEH00]

### U.S. 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, invite the public to comment on the following applications for a permit to conduct activities intended to recover and enhance endangered species survival. With some exceptions, the Endangered Species Act of 1973, as amended (ESA), prohibits certain activities that may impact endangered species unless a Federal permit allows such activity. The ESA also requires that we invite public comment before issuing these permits.

**DATES:** To ensure consideration, please send your written comments by April 9, 2018.

**ADDRESSES:** Request documents or submit comments to Susan Jacobsen, Chief, Classification and Restoration

Division, by U.S. mail at Classification and Recovery Division, U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, NM 87103. Please specify the permit you are interested in by number (e.g., Permit No. TE-123456).

**FOR FURTHER INFORMATION CONTACT:** Susan Jacobsen, Chief, Classification and Restoration Division, by U.S. mail at P.O. Box 1306, Albuquerque, NM 87103; or by telephone at 505-248-6641.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for a permit to conduct activities intended to recover and enhance endangered species survival. With some exceptions, the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; ESA), prohibits certain activities that may impact endangered species, unless a Federal permit allows such activity. The ESA also requires that we invite public comment before issuing these permits.

### Background

The ESA prohibits certain activities with endangered and threatened species unless a Federal permit authorizes them. The ESA and our implementing regulations in Code of Federal Regulations (CFR) title 50, part 17, provide for issuing such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A recovery permit we issue under the ESA, section 10(a)(1)(A), authorizes the permittee to conduct activities with

endangered or threatened species for scientific purposes that promote recovery or enhance the species' propagation or survival. 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.

In accordance with the ESA, section 10(c), we invite public comment on these permit applications before we take final action.

### Applications Available for Review and Comment

We invite local, State, Tribal, and Federal agencies and the public to comment on the following applications. Please refer to the permit number for the application when submitting comments.

Documents and other information submitted with these applications are available for review by any party who submits a written request to the Program Manager for Restoration and Endangered Species Classification at the address in the **ADDRESSES** section. Requests must be submitted within 30 days of this notice's publication date. Releasing documents is subject to Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552) requirements.

### Permit Applications

Proposed activities in the following permit requests are for the species' recovery and survival enhancement.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE-58221C .....	Jorge A. DaSilva, Weslaco, Texas.	<i>Manihot walkerae</i> (Walker's manioc).	Texas .....	Collection of seed and propagation.	Harm .....	New.
TE-55633C .....	Jacob D. Owen, Austin, Texas.	Golden-cheeked warbler ( <i>Setophaga chrysoparia</i> ), Black-capped vireo ( <i>Vireo atricapilla</i> ), Georgetown salamander ( <i>Eurycea naufragia</i> ), Jollyville Plateau salamander ( <i>Eurycea tonkawae</i> ), Salado salamander ( <i>Eurycea chisholmensis</i> ), San Marcos salamander ( <i>Eurycea nana</i> ), Texas blind salamander ( <i>Typhlomolge rathbuni</i> ), Barton Springs salamander ( <i>Eurycea sosorum</i> ), and Austin blind salamander ( <i>Eurycea waterlooensis</i> ).	Texas .....	Presence/absence surveys; nest monitoring; bird banding.	Harm and Harass.	New.
TE-099278 .....	Fred Phillips Consulting, Flagstaff, Arizona.	Huachuca water umbel ( <i>Lilaeopsis schaffneriana</i> var. <i>recurva</i> ).	Arizona, New Mexico .....	Presence/absence surveys.	Harm .....	Amend.