

system, flood control capacity, and storm water facilities. The Rio Salado Project, Phoenix Reach, is a cooperative project between the applicant and the U.S. Army Corps of Engineers to restore, enhance, and maintain 595 acres of native riparian and wetland vegetation along the Salt River from 24th Street to 19th Avenue.

Section 9 of the Act prohibits the “taking” of threatened or endangered species. However, the Service, under limited circumstances, may issue permits to take threatened and endangered wildlife species when such taking is incidental to, and not the purpose of, otherwise lawful activities.

The Service has made a preliminary determination that the approval of the draft amendment and permit amendment application qualify for categorical exclusion under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*), as provided by the Department of the Interior implementing regulations at 43 CFR 46.205, 46.210, and 46.215.

#### Public Availability of Comments

Written comments 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 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. We will not consider anonymous comments. 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

We provide this notice under section 10(c) of the Act and its implementing regulations (50 CFR 17.22), and the National Environmental Policy Act (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Joy E. Nicholopoulos,

Acting Regional Director, Southwest Region, Albuquerque, New Mexico.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket Nos. FWS-HQ-IA-2016-0107 and FWS-HQ-IA-2016-0079; FXIA16710900000-156-FF09A30000]

#### Endangered Species; Receipt of Applications for Permit

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

**ACTION:** Notice of receipt of new permit applications; reopening comment period for previously announced permit applications.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless Federal authorization is acquired that allows such activities. In this notice, we announce 8 new permit applications that we have received, and we reopen the comment period on 11 permit applications that we had previously announced for public comment.

**DATES:** We must receive comments or requests for documents on or before September 28, 2016.

#### ADDRESSES:

*Submitting Comments:* You may submit comments by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments on either Docket No. FWS-HQ-IA-2016-0107 for the applications discussed in section III.A. of **SUPPLEMENTARY INFORMATION** or Docket No. FWS-HQ-IA-2016-0079 for the applications discussed in section III.B. of **SUPPLEMENTARY INFORMATION**.

- *U.S. mail or hand-delivery:* Public Comments Processing, Attn: Docket No. FWS-HQ-IA-2016-0107; U.S. Fish and Wildlife Service Headquarters, MS: BPHC; 5275 Leesburg Pike, Falls Church, VA 22041-3803. (Make sure that you insert the correct docket number, either FWS-HQ-IA-2016-0107 or FWS-HQ-IA-2016-0079. The permit applications in either docket are described in **SUPPLEMENTARY INFORMATION** in III.A. and B.)

When submitting comments, please indicate the name of the applicant and the PRT# you are commenting on. We will post all comments on <http://www.regulations.gov>. This generally means that we will post any personal information you provide us (see the

Public Comments section below for more information).

*Viewing Comments:* Comments and materials we receive will be available for public inspection on <http://www.regulations.gov>, or by appointment, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays, at the U.S. Fish and Wildlife Service, Division of Management Authority, 5275 Leesburg Pike, Falls Church, VA 22041-3803; telephone 703-358-2095.

#### FOR FURTHER INFORMATION CONTACT:

Brenda Tapia, 703-358-2104 (telephone); 703-358-2281 (fax); [DMAFR@fws.gov](mailto:DMAFR@fws.gov) (email).

#### SUPPLEMENTARY INFORMATION:

##### I. Public Comment Procedures

*A. How do I request copies of applications or comment on submitted applications?*

Send your request for copies of applications or comments and materials concerning any of the applications to the contact listed under **ADDRESSES**. Please include the **Federal Register** notice publication date, the PRT-number, and the name of the applicant in your request or submission. We will not consider requests or comments sent to an email or address not listed under **ADDRESSES**. If you provide an email address in your request for copies of applications, we will attempt to respond to your request electronically.

Please make your requests or 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. We will not consider or include in our administrative record comments we receive after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

*B. May I review comments submitted by others?*

Comments, including names and street addresses of respondents, will be available for public review at the street address listed under **ADDRESSES**. The public may review documents and other information applicants have sent in

support of the application unless our allowing viewing would violate the Privacy Act or Freedom of Information Act. 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.

## II. Background

To help us carry out our conservation responsibilities for affected species, and in consideration of section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), along with Executive Order 13576, “Delivering an Efficient, Effective, and Accountable Government,” and the President’s Memorandum for the Heads of Executive Departments and Agencies of January 21, 2009—Transparency and Open Government (74 FR 4685; January 26, 2009), which call on all Federal agencies to promote openness and transparency in Government by disclosing information to the public, we invite public comment on these permit applications before final action is taken.

## III. Permit Applications

### A. Endangered Species

Applicant: Wild Things Unlimited, Inc., Bozeman, MT; PRT-137719

The applicant requests a renewal of their permit to export salvaged hair samples collected from grizzly bears (*Ursus arctos horribilis*) for the purpose of scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Cienegas Ranches, Ltd., Del Rio, TX; PRT-92685B

The applicant requests a permit for interstate and foreign commerce, and to export and cull excess barasingha (*Rucervus duvaucelii*) from the captive herd maintained at their facility, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Cienegas Ranches, Ltd., Del Rio, TX; PRT-92686B

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species to enhance species propagation or survival: Barasingha (*Rucervus duvaucelii*). This notification covers

activities to be conducted by the applicant over a 5-year period.

Applicant: Stanford University, Stanford, CA; PRT-04371C

The applicant requests a permit to import biological samples collected from wild specimens of black rhinoceros (*Diceros bicornis*) for the purpose of scientific research.

Applicant: Qin Yi Yu, Temple City, CA; PRT-95968B

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species to enhance species propagation or survival: Radiated tortoise (*Astrochelys radiata*). This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Florida State University—Robert K. Godfrey Herbarium, Tallahassee, FL; PRT-230539

The applicant requests the renewal of their permit to export and re-import nonliving museum/herbarium specimens of endangered and threatened species (excluding animals) previously legally accessioned into the permittee’s collection for scientific research. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Smithsonian Institution, Washington, DC; PRT-96221B

The applicant requests a permit to export to Georg-August University, Goettingen, Germany, a single leaf from one individual tree of 28 species of *Melicope* spp., 6 species of *Myrsine* spp., 3 species of *Platydesma* spp., and 3 species of *Zanthoxylum* spp., collected from the wild in Hawaii. The export of these specimens is for purposes of scientific research on plant systematics, evolution, and biogeography. This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: Charles Butler, Mankato, MN; PRT-03232C

The applicant requests a permit to import a sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

*B. Reopening of Comment Period for Permit Applications (Docket No. FWS-HQ-IA-2016-0079)*

On July 18, 2016, we published a **Federal Register** notice inviting the

public to comment on 11 applications for permits to conduct certain activities with endangered species under Docket No. FWS-HQ-IA-2016-0079 (81 FR 46698). Due to an issue with viewing and submitting comments, we are now reopening the comment period to allow the public the opportunity to review information submitted by the applicants.

Applicant: Exotic Feline Breeding Compound, Inc., Rosamond, CA; PRT-88847B

The applicant requests a permit to import one female captive-bred Persian leopard (*Panthera pardus saxicolor*) from Tierpark-Nordhorn gGmbH, Nordhorn, Germany, for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 1-year period.

Applicant: SeaWorld, San Antonio, TX; PRT-96334B

The applicant requests a permit to export one male captive-born Palawan peacock pheasant (*Polyplectron napoleonis*) for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 1-year period.

Applicant: Pamela Plotkin, College Station, TX; PRT-43484B

The applicant requests reissuance of a permit to import biological samples from Costa Rica from wild-caught olive Ridley sea turtles (*Lepidochelys olivacea*) for the purpose of scientific research.

Applicant: A Walk on the Wild Side, Canby, OR; PRT-93730B

The applicant requests a captive-bred wildlife registration under 50 CFR 17.21(g) for the following species to enhance species propagation or survival: Ring-tailed lemur (*Lemur catta*), leopard (*Panthera pardus*), African lion (*Panthera leo*), and tiger (*Panthera tigris*). This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: City of Saint Paul/Como Zoo, Saint Paul, MN; PRT 89851B and 89852B

The applicant requests a permit to import two captive-bred snow leopards (*Uncia uncia*), for the purpose of enhancement of the survival of the species. This notification covers activities to be conducted by the applicant over a 1-year period.

Applicant: Out of Africa Wildlife Park, LLC, Camp Verde, AZ; PRT-760354

The applicant requests renewal of their captive-bred wildlife registration under 50 CFR 17.21(g) for the following species to enhance species propagation or survival: Leopard (*Panthera pardus*) and snow leopard (*Uncia uncia*). This notification covers activities to be conducted by the applicant over a 5-year period.

Applicant: James Mercer, Carbondale, KS; PRT-98881B

The applicant requests a permit to import a sport-hunted trophy of two male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

#### Multiple Applicants

The following applicants each request a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus pygargus*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Applicant: Marion Searle, Lake Forest, IL; PRT-99186B

Applicant: Kristian O'Meara, Powell, OH; PRT-99852B

Applicant: David Robertson, Lewistown, MT; PRT-94807B

#### Brenda Tapia,

Program Analyst/Data Administrator, Branch of Permits, Division of Management Authority.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R2-ES-2016-N059;  
FXES11130200000-167-FF02ENEH00]

#### Notice of Availability of a Draft Safe Harbor Agreement and Draft Environmental Assessment for Activities Within Austin, Bastrop, Burleson, Colorado, Lavaca, Lee, Leon, Milam, and Robertson Counties, Texas

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

**ACTION:** Notice of availability: Draft safe harbor agreement with assurances, draft

environmental assessment, and permit application.

**SUMMARY:** This notice advises the public that the Texas Parks and Wildlife Department (TPWD; applicant) has applied to the Fish and Wildlife Service (Service) for an enhancement of survival permit pursuant to the Endangered Species Act of 1973, as amended (Act). The permit application includes a proposed programmatic safe harbor agreement (agreement) between the applicant and the Service that would authorize incidental take resulting from voluntary activities to restore, maintain, enhance, or create habitat for the endangered Houston toad. The Service also announces the availability of a draft environmental assessment (EA) that has been prepared to evaluate the permit application in accordance with the requirements of the National Environmental Policy Act. We are making the permit application package, including the draft safe harbor agreement, and draft environmental assessment available for public review and comment.

**DATES:** We will accept comments received or postmarked on or before October 28, 2016. Any comments we receive after the closing date or not postmarked by the closing date may not be considered in the final decision on this action.

**ADDRESSES:** Persons wishing to review the application may obtain a copy by writing to the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 4012, Albuquerque, NM 87103, or send a request by email to [fw2\\_hcp\\_permits@fws.gov](mailto:fw2_hcp_permits@fws.gov).

#### Obtaining Documents

- **Internet:** You may obtain copies of the EA and draft Safe Harbor Agreement on the U.S. Fish and Wildlife Service's (Service) Web site at <http://www.fws.gov/southwest/es/AustinTexas/>.

- **U.S. Mail:** A limited number of CD-ROM and printed copies of the EA and draft Safe Harbor Agreement are available, by request, from the Field Supervisor, by mail at the Austin Ecological Services Field Office, 1071 Burnet Road, Suite 200, Austin, TX 78758; by phone at 512-490-0057; or by fax at 512-490-0974. Please note that your request is in reference to the draft Safe Harbor Agreement for the Houston toad.

- **In-Person:** Copies of the EA and draft Safe Harbor Agreement are also available for public inspection and review at the following locations, by appointment and written request only, 8 a.m. to 4:30 p.m.:

- U.S. Fish and Wildlife Service, 500 Gold Avenue SW., Room 6034, Albuquerque, NM 87102.

- U.S. Fish and Wildlife Service, 1071 Burnet Road, Suite 200, Austin, TX 78758.

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

- **U.S. Mail:** U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 1071 Burnet Road, Suite 200, Austin, TX 78758; by phone at 512-490-0057; or by fax at 512-490-0974.

- **Electronically:** [fw2\\_hcp\\_permits@fws.gov](mailto:fw2_hcp_permits@fws.gov).

#### FOR FURTHER INFORMATION CONTACT:

Adam Zerrenner, Field Supervisor, U.S. Fish and Wildlife Service, Austin Ecological Services Field Office, 10711 Burnet Rd, Suite 200, Austin, TX 78758; by telephone 512-490-0057; or by facsimile 512-490-0974. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** This notice advises the public that the TPWD has applied to the Service for an enhancement of survival permit pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*; Act). The permit application includes a proposed programmatic safe harbor agreement (agreement) between the applicant and the Service for a period of 30 years. The proposed agreement will authorize incidental take during voluntary activities to restore, maintain, enhance, or create habitat for the endangered Houston toad (*Anaxyrus [=Bufo] houstonensis*). The Service also announces the availability of a draft environmental assessment that has been prepared to evaluate the permit application in accordance with the requirements of the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*; NEPA). We are making the permit application package, including the draft safe harbor agreement, and draft Environmental Assessment available for public review and comment.

#### Background

Under a safe harbor agreement, participating property owners voluntarily undertake management activities on their property to enhance, restore, or maintain habitat benefiting species listed under the Endangered Species Act. Safe harbor agreements encourage private and other non-Federal property owners to implement conservation efforts for listed species by