

need for a process to reduce conflicts between protection of listed species and economic development, so it amended the ESA in 1982 to add an exemption for incidental take of listed species that would result from non-Federal activities (section 10(a)(1)(B)). “Incidental take” is that which is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. To obtain a permit for under section 10(a)(1)(B), applicants must develop a conservation plan that meets specific requirements identified in section 10 and its regulations (50 CFR 17.22 and 17.32; 50 CFR 222.25, 222.27, and 222.31). Among other requirements, the plan must specify (1) the impacts that are likely to result from the taking and (2) the measures that the permit applicant will undertake to minimize and mitigate such impacts. Conservation plans under section 10(a)(1)(B) have come to be known as “habitat conservation plans” (HCPs). Section 10(a)(2)(B) provides statutory criteria that must be satisfied before an incidental take permit (ITP) can be issued.

Handbook Purpose

The purpose of the joint HCP Handbook is to instruct USFWS and NMFS (Services) staff on how to assist applicants to develop HCPs in an efficient and effective manner while ensuring adequate conservation for listed species. The Handbook guides Services staff, phase by phase, through development, implementation, and environmental compliance, using streamlined approaches whenever possible. It draws upon past experience to help staff understand regulations and policy and navigate the various processes for completing an HCP and issuing a permit. Although the joint HCP Handbook is designed specifically for Services’ staff, it also can be helpful to other HCP practitioners, such as applicants, consultants, and partners.

Need for Handbook Revision

The HCP program has evolved in response to changes in society and our natural resources. Because of changes to the program, the USFWS decided to contract Management Systems International to prepare an independent review of our HCP program in 2008, as well as a collection of input and recommendations for the program from various sources. These reviews and recommendations have provided the important feedback that our program is highly effective in achieving its purpose of avoiding, minimizing, and mitigating the effects of development on endangered (or threatened) species and their habitats, and, in some cases,

exceeds minimum requirements and makes a positive contribution to improving species habitat and contributing to species recovery. However, feedback also has indicated that the processes used to develop and approve ITPs can be inefficient. Commonly expressed concerns related to inefficiency are: HCPs take too long to develop and cost too much; negotiations can be complex; implementation is too expensive; applicants perceive lack of certainty; and the benefits of the HCP program are not readily apparent to internal or external stakeholders. The proposed revisions to the Handbook address these concerns in various ways, ranging from clarification of existing guidance to policy-level changes.

Proposed Revisions Made to Handbook

The revised HCP Handbook reflects current USFWS and NMFS HCP practices, guidance, and policies; incorporates lessons from the 30-year history of implementing the HCP program; and provides guidance to assist applicants and the Services’ staff to avoid common pitfalls that can delay HCP negotiations and development or processing of ITPs.

The goal is to provide a joint HCP Handbook that helps to streamline and improve efficiency of the HCP program. To accomplish this, we have reorganized the joint HCP Handbook, with the goal of walking Services staff and stakeholders through each stage of the HCP process, from the pre-application stage through ITP issuance and HCP implementation, including monitoring and compliance.

Some of the most significant changes to the joint HCP Handbook include:

- (1) We introduced the concept that applicants should “start slow to go fast,” which emphasizes the benefits to applicants of pre-planning before jumping directly into HCP development, especially for landscape-scale HCPs.
- (2) To streamline the ITP issuance process, we focused on the vital review and administrative steps without compromising legal integrity.
- (3) We clarified the concept “maximum extent practicable.”
- (4) We ensured consistency with revised or updated policies such as draft USFWS Mitigation Policy.
- (5) We clarified the use of implementing agreements.
- (6) We updated and clarified permit duration.
- (7) We provided guidance on how to comply with section 106 of the National Historic Preservation Act.
- (8) We provided guidance on addressing climate change.

(9) We updated and clarified what should be addressed through adaptive management versus foreseen and unforeseen circumstances.

(10) We provided guidance on when to initiate the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) process or intra-Service section 7 consultations, and when to seek assistance from the Solicitor or General Counsel.

(11) We updated and clarified information concerning take analysis, responding to public comments, public notices, permit decision documents, compliance monitoring, and ITP suspension and revocation.

Authority: 16 U.S.C. 1531 *et seq.*

Dated: June 22, 2016.

Angela Somma,

Chief, Endangered Species Conservation Division, National Marine Fisheries Service.

Dated: June 20, 2016.

Stephen Guertin,

Acting Director, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R6–R–2015–N206]; [FF06R06000–FXRS12610600000–167]

Rocky Mountain Arsenal National Wildlife Refuge, CO; Availability of Record of Decision for the Final Environmental Impact Statement

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce the availability of a record of decision (ROD) for the final environmental impact statement (EIS) for the Rocky Mountain Arsenal National Wildlife Refuge (refuge, NWR) in Adams County, Colorado.

ADDRESSES: You may view or obtain copies of the ROD, the final EIS, or other project information by any of the following methods:

Agency Web site: Download a copy of the documents at http://www.fws.gov/mountain-prairie/refuges/co_rkm.php.

Email: rockymountainarsenal@fws.gov. Include “Request copy of the Rocky Mountain Arsenal NWR ROD” in the subject line of the message.

U.S. Mail: Rocky Mountain Arsenal NWR, 6550 Gateway Road, Commerce City, CO 80022.

Local Libraries: The final documents are available for review at the libraries

listed under **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: David Lucas, Project Leader, at 303–289–0350 (phone), or Bernardo Garza, Planning Team Leader, 303–236–4377 (phone) or bernardo_garza@fws.gov (email).

SUPPLEMENTARY INFORMATION:

Introduction

With this notice, we announce the availability of the ROD for the final EIS for the refuge. We started this process through a notice in the **Federal Register** (78 FR 48183; August 7, 2013). Following a lengthy scoping and alternatives development period, we published a second notice in the **Federal Register** (80 FR 26084; May 6, 2015), announcing the availability of the draft comprehensive conservation plan (CCP) and draft EIS and our intention to hold public meetings, and requesting comments. We then published a third notice in the **Federal Register** (80 FR 52056, August 27, 2015), announcing the publication of the final EIS for the refuge.

The primary planning area for this decision includes the Rocky Mountain Arsenal NWR, which is located within the Denver Metropolitan Area, in Adams County, Colorado.

The Rocky Mountain Arsenal NWR encompasses nearly 16,000 acres and is home to more than 468 plant species and 350 wildlife species, including the endangered black-footed ferret, bald eagle, prairie dog, bison, deer, a wide variety of resident and migratory birds and raptors, amphibians, reptiles, fishes, and insects. The refuge’s habitats include short and mixed grass prairie, interspersed with native shrubs, riparian corridors, lacustrine habitats on the refuge reservoirs, and woodlands planted by settlers around historic homesteads. The refuge is surrounded by the cities of Commerce City and Denver, and the Denver International Airport, along the Colorado Front Range.

Visitors take part in a variety of wildlife-dependent recreational activities on the refuge. The refuge is open for catch-and-release fishing,

wildlife observation, photography, interpretation, and environmental education. As part of the CCP and EIS process, we have considered opening the refuge to limited special hunts.

Over 12,000 years of prehistory and history have been recorded in the site of the refuge, and the refuge contains significant cultural resources.

In accordance with National Environmental Policy Act (NEPA) (40 CFR 1506.6(b)) requirements, this notice announces the availability of the ROD for the final EIS for the Rocky Mountain Arsenal NWR. We completed a thorough analysis of the environmental, social, and economic considerations associated with our actions. The ROD documents our selection of alternative C, the preferred alternative.

Alternative C—Urban Refuge, as we described in the final EIS and ROD, is the foundation for the CCP which we will finalize by winter 2016.

Background

The CCP Process

The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee) (Administration Act), as amended by the National Wildlife Refuge System Improvement Act of 1997, requires us to develop a CCP for each national wildlife refuge. The purpose for developing a CCP is to provide refuge managers with a 15-year plan for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish and wildlife management, conservation, legal mandates, and our policies. We will finalize the CCP for the refuge by winter 2016 and will update it at least every 15 years in accordance with the Administration Act.

CCP Alternatives and Selected Alternative

Our final EIS (80 FR 52056, August 27, 2015) addressed several issues. To address these, we developed and evaluated the following alternatives: Alternative A—No Action, Alternative B—Traditional Refuge, Alternative C—Urban Refuge, and Alternative D—Gateway Refuge.

Based on our environmental consequences analysis, we concluded that alternative B constituted the environmentally preferable alternative as it would have caused the least damage to the biological and physical environment.

However, after consideration of the 90 comments that we received on the draft CCP and draft EIS and a minor comment we received following the release of the final EIS, we selected alternative C—Urban Refuge as the preferred alternative. It is the alternative that best meets the purposes of the refuge; the mission of the National Wildlife Refuge System; the vision and management goals set for the refuge; adheres to Service policies and guidelines, and seeks to implement the Service’s Urban Wildlife Conservation Program. It considers the interests and perspectives of many agencies, organizations, municipalities, and the public.

Under alternative C and in cooperation with our partners, we will continue to restore and maintain refuge habitats and manage wildlife populations in accordance with approved plans. We will increase the visibility of the refuge in the Denver Metropolitan Area and welcome many more nontraditional visitors to the refuge. Through an expanded visitor services program, an abundance of instructional programming, and widespread outreach, we will endeavor to connect more people with nature. We will work with nontraditional users’ trusted avenues of communication to increase outreach success. We will expand our conservation education in surrounding communities and schools, develop youth-specific outreach, and employ social marketing to broaden our agency’s reach. We will make the refuge more accessible to outlying communities by opening additional access points and enhancing the refuge transportation systems.

Public Availability of Documents

In addition to any one method in **ADDRESSES**, you can view or obtain documents at the following public libraries:

Library	Address	Phone No.
Aurora Central Public Library	14949 E Alameda Parkway, Aurora, CO 80012	(303) 739–6600
Commerce City Public Library	7185 Monaco Street, Commerce City, CO 80022	(303) 287–0063
Denver Central Library	10 W Fourteenth Avenue, Denver, CO 80204	(720) 865–1111
Montbello Public Library	12955 Albroom Drive, Denver, CO 80239	(720) 865–0200
Rangeview Library District	327 E Bridge Street, Brighton, CO 80601	(303) 405–3230

Next Steps

We will work with our cooperating agencies to finalize the CCP by winter 2016 and will begin its implementation immediately thereafter.

Dated: March 29, 2016.

Matt Hogan,

Deputy Regional Director, Mountain-Prairie Region, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR**National Park Service**

**[NPS-WASO-NAGPRA-21274;
PPWOCRADNO-PCU00RP14.R50000]**

**Notice of Inventory Completion:
History Colorado, formerly Colorado
Historical Society, Denver, CO**

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: History Colorado, formerly Colorado Historical Society, has completed an inventory of human remains, in consultation with the appropriate Indian tribes or Native Hawaiian organizations, and has determined that there is no cultural affiliation between the human remains and any present-day Indian tribes or Native Hawaiian organizations. Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request to History Colorado. If no additional requestors come forward, transfer of control of the human remains to the Indian tribes or Native Hawaiian organizations stated in this notice may proceed.

DATES: Representatives of any Indian tribe or Native Hawaiian organization not identified in this notice that wish to request transfer of control of these human remains should submit a written request with information in support of the request to History Colorado at the address in this notice by July 28, 2016.

ADDRESSES: Sheila Goff, NAGPRA Liaison, History Colorado, 1200 Broadway, Denver, CO 80203, telephone (303) 866-4531, email sheila.goff@state.co.us.

SUPPLEMENTARY INFORMATION: Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains under the control of History Colorado, Denver, CO. Seven

sets of human remains were received from the Montezuma County Coroner. They were recovered from the vicinity of Cortez or Mancos, CO.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003(d)(3) and 43 CFR 10.11(d). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

Consultation

A detailed assessment of the human remains was made by History Colorado professional staff in consultation with representatives of the Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Kiowa Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Ohkay Owingeh, New Mexico (previously listed as the Pueblo of San Juan); Pueblo of Acoma, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Taos, New Mexico; Southern Ute Indian Tribe of the Southern Ute Indian Reservation, Colorado; Ute Mountain Ute Tribe (previously listed as the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah); and Ysleta del Sur Pueblo of Texas (previously listed as the Ysleta Del Sur Pueblo of Texas). The Apache Tribe of Oklahoma, Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Fort Sill Apache Tribe of Oklahoma; Pueblo of Jemez, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico were invited to consult, but did not participate. Hereafter, all tribes listed above are referred to as "The Consulted and Invited Tribes."

History and Description of the Remains

At an unknown date, human remains representing, at minimum, two individuals were removed from the vicinity of Cortez, CO, by an 8 year old boy. As an adult, in August 2015, he relinquished them to the Montezuma County Coroner, who ruled out a forensic interest. The human remains

were transferred to the Office of the State Archaeologist (OSAC) in October 2015, where they were assigned Office of Archaeology and Historic Preservation (OAHP) Case Number 311. Osteological analysis conducted at Metropolitan State University indicates that the human remains represent a child and subadult and are likely of Native American ancestry. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing, at minimum, five individuals were removed from an unknown place, possibly in the vicinity of Mancos, CO. The human remains were discovered in the estate of a deceased man. In November 2015, the son of the man turned them over to the Montezuma County Coroner, who ruled out forensic interest. In February 2016, the human remains were transferred to the Office of the State Archaeologist, where they were assigned Office of Archaeology and Historic Preservation (OAHP) Case Number 313. Osteological analysis at Metropolitan State University indicates that the human remains represent two adult females, two children and one male and are likely of Native American ancestry. No known individuals were identified. No associated funerary objects are present.

History Colorado, in partnership with the Colorado Commission of Indian Affairs, Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, and the Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah, conducted tribal consultations among the tribes with ancestral ties to the State of Colorado to develop the process for disposition of culturally unidentifiable Native American human remains and associated funerary objects originating from inadvertent discoveries on Colorado State and private lands. As a result of the consultation, a process was developed, the *Process for Consultation, Transfer, and Reburial of Culturally Unidentifiable Native American Human Remains and Associated Funerary Objects Originating From Inadvertent Discoveries on Colorado State and Private Lands* (2008, unpublished, on file with the Colorado Office of Archaeology and Historic Preservation). The tribes consulted are those who have expressed their wishes to be notified of discoveries in the Southwest Region as established by the *Process*, where these individuals appear to have originated.

The Native American Graves Protection and Repatriation Review Committee (Review Committee) is responsible for recommending specific actions for disposition of culturally