

The expenditures for key components of the NCCP/HCP conservation strategy that achieve upfront and comprehensive mitigation (e.g., Preserve acquisitions and funding of restoration projects) will be paid for through M2 EMP revenues. Any costs associated with implementing avoidance and minimization measures, as described in Section 5.6, "Avoidance and Minimization," will be funded through the individual construction budgets and will not rely on funding under the M2 EMP.

The NCCP/HCP includes measures to avoid and minimize incidental take of the covered species, emphasizing project design modifications to protect covered species and their habitats. A monitoring and reporting plan would gauge the Plan's success based on achievement of biological goals and objectives and would ensure that conservation keeps pace with development. The NCCP/HCP also includes a management program, including adaptive management, which allows for changes in the conservation program if the biological species objectives are not met, or new information becomes available to improve the efficacy of the NCCP/HCP's conservation strategy.

Covered projects and activities would include 13 discrete proposed freeway segments in which freeway projects have been identified for coverage under the NCCP/HCP. These proposed projects are designed to reduce congestion, increase capacity, and smooth traffic flows of Orange County's important transportation infrastructure. In addition, activities related to ongoing habitat management, restoration, and monitoring activities by Preserve Managers and activities necessary to provide limited public access have been identified for coverage. These covered activities fall under two major categories, including:

1. Covered freeway projects; and
2. Covered activities within Preserves, including preserve management, trail creation, restoration, and monitoring activities.

National Environmental Policy Act Compliance

The EIR/EIS analyzes two alternatives in addition to the proposed action (i.e., permit issuance based on the NCCP/HCP) described above. The other alternatives include a no-action (i.e., no permit) alternative and a reduced plan alternative covering only species that are federally or State-listed as threatened or endangered. Two other alternatives were considered during the planning process but were not evaluated because they did not meet the purpose

and need of both the OCTA and the Service; these alternatives involved a no-take alternative and an alternative requiring the OCTA to participate in project-by-project mitigation.

The final EIR/EIS includes all comments we received on the draft EIR/EIS and our response to those comments. After the 30-day waiting period, we will complete a record of decision that announces our decision on the action that will be implemented and discusses all factors leading to the decision.

Public Review

Copies of the final EIR/EIS, NCCP/HCP, and IA are available for review (see Availability of Documents). Any comments we receive will become part of the administrative record and may be available to the public. 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 publish this notice under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321–4347 *et seq.*; NEPA), and its implementing regulations in the Code of Federal Regulations (CFR) at 40 CFR 1500–1508, as well as in compliance with section 10(c) of the Endangered Species Act (16 U.S.C. 1531–1544 *et seq.*; Act).

Michael Fris,

Assistant Regional Director, Pacific Southwest Region, Sacramento, California.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-ES-2017-N029;
FXES11130800000-178-FF08E00000]

Endangered Species Recovery Permit Applications

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of receipt of permit applications; request for comment.

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 (Act) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act also requires that we invite public comment before issuing recovery permits to conduct certain activities with endangered species.

DATES: Comments on these permit applications must be received on or before May 1, 2017.

ADDRESSES: Written data or comments should be submitted to the Endangered Species Program Manager, U.S. Fish and Wildlife Service, Region 8, 2800 Cottage Way, Room W-2606, Sacramento, CA 95825 (telephone: 916-414-6464; fax: 916-414-6486). Please refer to the respective permit number for each application when submitting comments.

FOR FURTHER INFORMATION CONTACT: Daniel Marquez, Fish and Wildlife Biologist; see **ADDRESSES** (telephone: 760-431-9440; fax: 760-431-9624).

SUPPLEMENTARY INFORMATION: The following applicants have applied for scientific research permits to conduct certain activities with endangered species under section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*). We seek review and comment from local, State, and Federal agencies and the public on the following permit requests.

Applicants

Permit No. TE-59573B

Applicant: Andrew Krause, Lebec, California

The applicant requests a permit renewal and amendment to take (harass by survey, capture, handle, and release) the Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) and giant kangaroo rat (*Dipodomys ingens*), in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-180579

Applicant: Dwayne Oberhoff, Los Osos, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, and release) the Morro shoulderband snail (Banded dune) (*Helminthoglypta walkeriana*) in conjunction with survey activities in San Luis Obispo County, California, for the purpose of enhancing the species' survival.

Permit No. TE-090849

Applicant: David Wolff, Los Osos, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, release, collect vouchers, and collect branchiopod cysts) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-72044A

Applicant: Carl Demetropoulos, Thousand Oaks, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, and release) the unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*) in conjunction with survey activities throughout the range of the species in California, for the purpose of enhancing the species' survival.

Permit No. TE-179036

Applicant: Cullen Wilkerson, Richmond, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, mark, and release) the San Francisco garter snake (*Thamnophis sirtalis tetrataenia*); and take (harass by survey, capture, handle, and release) the California tiger salamander ((central distinct population segment (DPS)) (*Ambystoma californiense*)) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-058073

Applicant: Susan Christopher, Santa Margarita, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, and release) the California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segment (DPS)) (*Ambystoma californiense*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-90000A

Applicant: Ryan Brown, Chico, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, release, collect vouchers, and collect branchiopod cysts) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-79454A

Applicant: Santa Barbara Zoological Gardens, Santa Barbara, California

The applicant requests a permit renewal to take (receive, hold in captivity, handle, provide veterinary services, transport, and transfer) the California condor (*Gymnogyps californianus*) in conjunction with general husbandry activities at the Santa Barbara Zoo in Santa Barbara, California for the purpose of enhancing the species' survival.

Permit No. TE-17017C

Applicant: Shelley Sianta, Santa Cruz, California

The applicant requests a new permit to remove/reduce to possession from lands under Federal jurisdiction *Clarkia franciscana* (Presidio clarkia) in conjunction with research activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-17211C

Applicant: Zoological Society of San Diego, San Diego, California

The applicant requests a new permit to remove/reduce to possession from lands under Federal jurisdiction *Fremontodendron mexicanum* (Mexican flannelbush), *Chloropyron maritimum* subsp. *maritimum* (*Cordylanthus maritimus* subsp. *maritimus*) (salt marsh bird's-beak), and *Ambrosia pumila* (San Diego ambrosia) in conjunction with research activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-19843C

Applicant: Jennifer Sexton, Simi Valley, California

The applicant requests a new permit to take (harass by survey; locate and monitor nests; remove brown-headed cowbird (*Molothrus ater*) eggs and chicks from parasitized nests; and capture, measure, weigh, band, color-band, and release) the least Bell's vireo (*Vireo bellii pusillus*) and southwestern willow flycatcher (*Empidonax traillii extimus*) in conjunction with survey, population monitoring, and scientific research activities throughout the range of the species in California, Nevada, and Arizona for the purpose of enhancing the species' survival.

Permit No. TE-48210A

Applicant: Area West Environmental, Orangevale, California

The applicant requests a permit amendment to take (harass by survey, capture, handle, collect tissue samples, use remote camera traps, use directional fencing, and release) the California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segment (DPS)) (*Ambystoma californiense*) in conjunction with survey and research activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-40087B

Applicant: U.S. Forest Service, Sonora, California

The applicant requests a permit amendment to take (harass by performing radio tracking studies) the Sierra Nevada yellow-legged frog (*Rana sierrae*) in conjunction with research activities throughout the range of the species for the purpose of enhancing the species' survival.

Permit No. TE-092469

Applicant: Ingrid Eich, Irvine, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, release, collect vouchers, and collect branchiopod cysts) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-39186A

Applicant: Carlos Alvarado,
Sacramento, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, and release) the California tiger salamander (Santa Barbara County and Sonoma County Distinct Population Segment (DPS)) (*Ambystoma californiense*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-19906C

Applicant: Ross Taylor, McKinleyville,
California

The applicant requests a new permit to take (harass by survey, capture, handle, and release) the tidewater goby (*Eucyclogobius newberryi*) in Humboldt County, California, in conjunction with survey activities for the purpose of enhancing the species' survival.

Permit No. TE-780566

Applicant: Ruben Ramirez, Oceanside,
California

The applicant requests a permit renewal to take (harass by survey, capture, handle, and release) the Pacific pocket mouse (*Perognathus longimembris pacificus*) and San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*); take (harass by survey, capture, handle, swab, attach radio transmitters, and release) the arroyo toad (arroyo southwestern) (*Anaxyrus californicus*) in conjunction with survey and scientific research activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-205600

Applicant: Bonnie Peterson,
Sacramento, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, release, collect vouchers, and collect branchiopod cysts) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*) in conjunction with survey activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-76005A

Applicant: Tara Schoenwetter,
Atascadero, California

The applicant requests a permit renewal to take (harass by survey, capture, handle, release, collect vouchers, collect branchiopod cysts, and process vernal pool soil samples) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*) throughout the range of the species in California; and remove/reduce to possession *Deinandra increscens subsp. villosa* (Gaviota tarplant), *Cirsium loncholepis* (La Graciosa thistle), *Layia carnosa* (beach layia), *Nasturtium gambelii* (*Rorippa g.*) (Gambel's watercress), *Arenaria paludicola* (marsh sandwort), and *Eriodictyon capitatum* (Lompoc yerba santa) from Federal lands in Santa Barbara and San Diego County to include Vandenberg Air Force Base and Marine Corps Base Camp Pendleton, in conjunction with survey and research activities for the purpose of enhancing the species' survival.

Permit No. TE-110373

Applicant: Eric Kline, San Diego,
California

The applicant requests a permit renewal take (survey by pursuit) the Quino checkerspot butterfly (*Euphydryas editha quino*) in conjunction with survey activities throughout the range of the species in California, for the purpose of enhancing the species' survival.

Permit No. TE-799569

Applicant: Renee Owens, El Cajon,
California

The applicant requests a permit renewal take (survey by pursuit) the Quino checkerspot butterfly (*Euphydryas editha quino*) and take (locate and monitor nests) least Bell's vireo (*Vireo bellii pusillus*) in conjunction with survey activities throughout the range of the species in California, for the purpose of enhancing the species' survival.

Permit No. TE-777965

Applicant: LSA Associates, Irvine,
California

The applicant requests a permit renewal and amendment to take (harass by survey, capture, handle, and release) the Fresno kangaroo rat (*Dipodomys nitratoides exilis*), Tipton kangaroo rat

(*Dipodomys nitratoides nitratoides*), giant kangaroo rat (*Dipodomys ingens*), San Bernardino Merriam's kangaroo rat (*Dipodomys merriami parvus*), Stephens' kangaroo rat (*Dipodomys stephensi*), and Pacific pocket mouse (*Perognathus longimembris pacificus*); take (harass by survey, capture, handle, release, collect vouchers, and collect branchiopod cysts) the Conservancy fairy shrimp (*Branchinecta conservatio*), longhorn fairy shrimp (*Branchinecta longiantenna*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and vernal pool tadpole shrimp (*Lepidurus packardii*); take (survey by pursuit) the Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) and Quino checkerspot butterfly (*Euphydryas editha quino*); take (harass by survey and locate and monitor nests) the southwestern willow flycatcher (*Empidonax traillii extimus*) and California least tern (*Sternula antillarum browni*) (*Sterna a. browni*); and take (locate and monitor nests) the least Bell's vireo (*Vireo bellii pusillus*) in conjunction with survey and population monitoring activities throughout the range of the species in California for the purpose of enhancing the species' survival.

Permit No. TE-838743

Applicant: David Faulkner, Rancho Dominguez, California

The applicant requests a permit renewal to take (survey by pursuit) the Quino checkerspot butterfly (*Euphydryas editha quino*), Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*), and Laguna Mountains skipper (*Pyrgus ruralis lagunae*) in conjunction with survey activities throughout the range of the species for the purpose of enhancing the species' survival.

Public Comments

We invite public review and comment on each of these recovery permit applications. Comments and materials we receive will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

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.

Angela Picco,

Acting Regional Director, Pacific Southwest Region, Sacramento, California.

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[LLNMA010000 L14400000.FR0000; NMNM 128706]

Notice of Realty Action; Recreation and Public Purposes Act Classification for Conveyance of Public Lands in Cibola County, New Mexico

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Bureau of Land Management (BLM) has examined and found suitable for classification for conveyance under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended, 211.73 acres of public land in Cibola County, New Mexico. Cibola County proposes to use the land to develop a public shooting range complex.

DATES: Interested parties may submit written comments regarding the proposed classification of the land for conveyance to the Field Manager, Rio Puerco Field Office, at the address below on or before May 15, 2017.

ADDRESSES: Written comments should be addressed to the Bureau of Land Management, Field Manager, Rio Puerco Field Office, 100 Sun Avenue NE., Suite 330, Pan American Bldg., Albuquerque, NM 87109. Please reference "R&PP of Public Lands to Cibola County for Shooting Range" on all correspondence.

FOR FURTHER INFORMATION CONTACT: Arlene Salazar, Realty Specialist, Rio Puerco Field Office, 505-761-8772, email: asalazar@blm.gov, or at the above address. Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 1-800-877-8339 to contact the above individual during normal business hours. The Service is available 24 hours a day, 7 days a week, to leave a message or question for the above individual. Replies are provided during normal business hours.

SUPPLEMENTARY INFORMATION: The following described public land has been examined and found suitable for classification for conveyance to Cibola County under Section 7 of the Taylor

Grazing Act (43 U.S.C. 315f) and the provisions of the R&PP Act, as amended (43 U.S.C. 869 *et seq.*):

New Mexico Principal Meridian

T. 11 N., R. 10 W.,

Sec. 6, lot 4 and lots 10 thru 12,
N¹/₂SE¹/₄NW¹/₄, N¹/₂SW¹/₄SE¹/₄NW¹/₄,
SE¹/₄SW¹/₄SE¹/₄NW¹/₄, SE¹/₄SE¹/₄NW¹/₄,
NE¹/₄NE¹/₄SW¹/₄, N¹/₂SE¹/₄NE¹/₄SW¹/₄,
SE¹/₄SE¹/₄NE¹/₄SW¹/₄, and NW¹/₄SE¹/₄.

The area described contains 211.73 acres, more or less, in Cibola County, New Mexico.

The land is not needed for any Federal purpose and is not of national significance. Conveyance is consistent with the BLM Rio Puerco Resource Management Plan, October 1992, and would be in the public interest.

The conveyance document, if issued, would be subject to the provisions of the R&PP Act and applicable regulations of the Secretary of the Interior and will contain the following reservations, terms, and conditions:

1. Right-of-way NMNM 57859 issued to the U.S. Forest Service for a road to access Forest Service land adjacent to the subject parcel.

2. A right-of-way thereon for ditches or canals constructed by authority of the United States, pursuant to the Act of August 30, 1890, 43 U.S.C. 945.

3. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals under applicable laws and such regulations as the Secretary of the Interior may prescribe including all necessary access and exit rights.

4. The purchaser, by accepting the patent, agrees to indemnify, defend, and hold the United States harmless from any costs, damages, claims, causes of action, penalties, fines, liabilities, and judgments of any kind arising from the past, present, or future acts or omissions of the patentee, its employees, agents, contractors, or lessees, or third party arising out of or in connection with the use and/or occupancy of the patented real property resulting in: (1) Violations of Federal, state, and local laws and regulations that are now, or in the future become, applicable to the real property; (2) Judgments, claims, or demands of any kind assessed against the United States; (3) Costs, expenses, or damages of any kind incurred by the United States; (4) Releases or threatened releases of solid or hazardous waste(s) and/or hazardous substance(s), as defined by Federal or state environmental laws, off, on, into, or under land, property, and other interests of the United States; (5) Other activities by which solid or hazardous substances or wastes, as defined by Federal and state environmental laws are generated,

released, stored, used, or otherwise disposed of on the patented real property, and any cleanup response, remedial action, or other actions related in any manner to said solid or hazardous substances or wastes; or (6) Natural resource damages as defined by Federal and state law. This covenant will run with the patented real property and may be enforced by the United States in a court of competent jurisdiction.

5. A limited reversionary provision stating that title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that the patentee has not substantially developed the lands in accordance with the approved plan of development on or before the date five years after the date of conveyance. No portion of the land shall, under any circumstance, revert to the United States if any such portion has been used for solid waste disposal or for any other purpose which may result in the disposal, placement, or release of any hazardous substance.

6. Any other terms or conditions that the Authorized Officer determines appropriate to ensure public access and proper management of the Federal land and interests therein. Subject to limitations prescribed by law and regulations, prior to conveyance, a holder of any right-of-way within the conveyed area may be given the opportunity to amend the right-of-way for conversion to a new term, including perpetuity, if applicable. Detailed information concerning this proposed project, including, but not limited to documentation relating to compliance with applicable environmental and cultural resource laws, is available for review at the BLM Rio Puerco Field Office at the address above.

Upon publication of this notice in the **Federal Register**, the public land described above will be segregated from all forms of appropriation under the public land laws, including the general mining laws, except for conveyance under the R&PP Act, and leasing under the mineral leasing laws.

Classification Comments: Interested parties may submit comments regarding the suitability of the land for the proposed facility. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use (or uses) of the land, whether the use is consistent with local planning and zoning, or whether the use is consistent with Federal and state programs.

Application Comments: Interested parties may submit comments regarding the specific use proposed in the