

Common name	Scientific name	Status	Locations where the species is known to occur	Final listing rule (Federal Register citation and publication date)	Lead Fish and Wildlife office
Thistle, fountain .....	<i>Cirsium fontinale</i> var. <i>fontinale</i>	E	CA .....	60 FR 6671; 2/3/1995 .....	Sacramento Fish and Wildlife Office.
Thornmint, San Mateo .....	<i>Acanthomintha obovata</i> ssp. <i>duttonii</i> .	E	CA .....	50 FR 37858; 9/18/1985 .....	Sacramento Fish and Wildlife Office.
Evening-primrose, Antioch Dunes.	<i>Oenothera deltooides</i> ssp. <i>howellii</i> .	E	CA .....	43 FR 17910; 4/26/1978 .....	San Francisco Bay-Delta Fish and Wildlife.
Wallflower, Contra Costa .....	<i>Erysimum capitatum</i> var. <i>angustatum</i> .	E	CA .....	43 FR 17910; 4/26/1978 .....	San Francisco Bay-Delta Fish and Wildlife.
Bush-mallow, Santa Cruz Island.	<i>Malacothamnus fasciculatus</i> var. <i>nesioticus</i> .	E	CA .....	62 FR 40954; 7/31/1997 .....	Ventura Fish and Wildlife Office.
Cypress, Gowen .....	<i>Cupressus goveniana</i> ssp. <i>goveniana</i> .	T	CA .....	63 FR 43100; 8/12/1998 .....	Ventura Fish and Wildlife Office.
Dudleya, Santa Monica Mountains.	<i>Dudleya cymosa</i> ssp. <i>ovatifolia</i>	T	CA .....	62 FR 4172; 1/29/1997 .....	Ventura Fish and Wildlife Office.
Liveforever, Santa Barbara Island.	<i>Dudleya traskiae</i> .....	E	CA .....	43 FR 17910; 4/26/1978 .....	Ventura Fish and Wildlife Office.
Manzanita, Santa Rosa Island	<i>Arctostaphylos confertiflora</i> .....	E	CA .....	62 FR 40954; 7/31/1997 .....	Ventura Fish and Wildlife Office.
Monkeyflower, Vandenberg ....	<i>Diplacus vandenbergensis</i> .....	E	CA .....	79 FR 50844; 8/26/2014 .....	Ventura Fish and Wildlife Office.
Phacelia, island .....	<i>Phacelia insularis</i> ssp. <i>insularis</i> .	E	CA .....	62 FR 40954; 7/31/1997 .....	Ventura Fish and Wildlife Office.
Piperia, Yadon's .....	<i>Piperia yadonii</i> .....	E	CA .....	63 FR 43100; 8/12/1998 .....	Ventura Fish and Wildlife Office.
Yerba santa, Lompoc .....	<i>Eriodictyon capitatum</i> .....	E	CA .....	65 FR 14888; 3/20/2000 .....	Ventura Fish and Wildlife Office.

**Request for New Information**

To ensure that a 5-year review is complete and based on the best available scientific and commercial information, we request new information from all sources. See What Information Do We Consider in Our Review? for specific criteria. If you submit information, please support it with documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources.

To get more information on a species, submit information on a species, or review information we receive, please use the contact information for the Lead Fish and Wildlife Office for the species specified in the table above.

**Carlsbad Fish and Wildlife Office:** Bradd Baskerville-Bridges, 760-431-9440 (phone); [fw8cfwocomments@fws.gov](mailto:fw8cfwocomments@fws.gov) (email); or 2177 Salk Avenue, Suite 250, Carlsbad, CA 92008 (U.S. mail, hand-delivery, or in-person review of documents).

**Reno Fish and Wildlife Office:** Shawna Theisen, 775-861-6378 (phone); [shawna\\_theisen@fws.gov](mailto:shawna_theisen@fws.gov) (email); or 1340 Financial Boulevard, Suite 234, Reno, NV 89502 (U.S. mail, hand-delivery, or in-person review of documents).

**Sacramento Fish and Wildlife Office:** Josh Hull, 916-414-6742 (phone); [fw8sfwocomments@fws.gov](mailto:fw8sfwocomments@fws.gov) (email); or 2800 Cottage Way, Suite W2605, Sacramento, CA 95825 (U.S. mail, hand-delivery, or in-person review of documents).

**San Francisco Bay-Delta Fish and Wildlife Office:** Steven Detwiler, 916-930-2640 (phone); [steven\\_detwiler@fws.gov](mailto:steven_detwiler@fws.gov) (email); or 650 Capitol Mall, Sacramento, CA 95814 (U.S. mail, hand-delivery, or in-person review of documents).

**Southern Nevada Fish and Wildlife Office:** Glen Knowles, 702-515-5244 (phone); [glen\\_knowles@fws.gov](mailto:glen_knowles@fws.gov) (email); or 4701 N Torrey Pines Dr., Las Vegas, NV 89130 (U.S. mail, hand-delivery, or in-person review of documents).

**Ventura Fish and Wildlife Office:** Cat Darst, 805-677-3318 (phone); [cat\\_darst@fws.gov](mailto:cat_darst@fws.gov) (email); or 2493 Portola Road, Suite B, Ventura CA 93003 (U.S. mail, hand-delivery, or in-person review of documents).

**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 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.

Comments and materials received will be available for public inspection, by appointment, during normal business hours at the offices to which the comments are submitted.

**Authority**

This document is published under the authority of the Endangered Species Act

of 1973, as amended (16 U.S.C. 1531 *et seq.*).

**Michael Fris,**

*Acting Deputy Regional Director, Pacific Southwest Region, U.S. Fish and Wildlife Service.*

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**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R8-ES-2019-N130; FXES1114080000-201-FF08EVEN00]

**Habitat Conservation Plans for the Mount Hermon June Beetle, Zayante Band-Winged Grasshopper, and Ben Lomond Spineflower; Categorical Exclusion for the Renovation of the Santa Cruz County Juvenile Hall and the Verizon Wireless Expansion Project; Santa Cruz County, California**

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received two applications for an incidental take permit (ITP), one for the federally endangered Mount Hermon June beetle and one for the federally endangered Mount Hermon June beetle and Zayante band-winged grasshopper, under the Endangered Species Act of 1973, as amended. The County of Santa Cruz submitted a permit application that, if issued, would authorize take of the

Mount Hermon June beetle incidental to otherwise lawful activities described in the draft habitat conservation plan for renovation of the County of Santa Cruz Juvenile Hall. Verizon Wireless submitted a permit application that, if issued, would authorize take of the Mount Hermon June beetle and Zayante band-winged grasshopper incidental to otherwise lawful activities described in the Verizon Wireless telecommunications facility expansion project draft habitat conservation plan. We invite public comment on these documents.

**DATES:** Written comments should be received on or before February 26, 2020.

**ADDRESSES:**

*To obtain documents:* You may download a copy of the draft habitat conservation plan and categorical exclusion screening form, which includes the environmental action statement, at <http://www.fws.gov/ventura/>, or you may request copies of the documents by U.S. mail (below) or by phone (see **FOR FURTHER INFORMATION CONTACT**).

*To submit written comments:* Please send us your written comments using one of the following methods:

- *U.S. mail:* Stephen P. Henry, Field Supervisor, Ventura Fish and Wildlife Office, U.S. Fish and Wildlife Service, 2493 Portola Road, Suite B, Ventura, CA 93003.
- *Facsimile:* 805-644-3958.
- *Electronic mail:* [chad\\_mitcham@fws.gov](mailto:chad_mitcham@fws.gov).

**FOR FURTHER INFORMATION CONTACT:**

Chad Mitcham, Fish and Wildlife Biologist, 805-677-3328 (by phone), or at the Ventura Fish and Wildlife office (by mail; see **ADDRESSES**).

**SUPPLEMENTARY INFORMATION:** We have received two applications for ITPs under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). In support of their applications for ITPs, the applicants have developed draft habitat conservation plans (HCPs) for their respective projects that include measures to mitigate and avoid/minimize impacts to the federally endangered Mount Hermon June beetle (*Polyphylla barbata*), Zayante band-winged grasshopper (*Trimerotropis infantilis*), and Ben Lomond spineflower (*Chorizanthe pungens* var. *hartwegiana*). The ITPs would authorize take of the Mount Hermon June beetle and Zayante band-winged grasshopper incidental to otherwise lawful activities. These ITPs would authorize incidental take associated with the two respective projects: The draft Low-Effect HCP for the Renovation of the County of Santa

Cruz Juvenile Hall and the draft Low-Effect HCP for the Verizon Wireless Telecommunications Facility Expansion Project. We invite public comment on the draft HCPs and categorical screening forms, which include the environmental action statements.

**Background**

The Service listed the Mount Hermon June beetle and Zayante band-winged grasshopper as endangered on January 24, 1997 (62 FR 3616). Section 9 of the ESA (16 U.S.C. 1538) prohibits the “take” of fish or wildlife species listed as endangered. “Take” is defined under the ESA to include the following activities: “[T]o harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532); however, under section 10(a)(1)(B) of the ESA (16 U.S.C. 1539(a)(1)(B)), we may issue permits to authorize incidental take of listed wildlife species. Incidental take is take that is incidental to, and not the purpose of, carrying out of an otherwise lawful activity. Regulations governing ITPs for endangered wildlife are in the Code of Federal Regulations (CFR) at 50 CFR 17.22.

Take of listed plants is not prohibited under the ESA unless the action would violate State law. As such, take of plants cannot be authorized under an ITP. Plant species may be included on a permit in recognition of the conservation benefits provided them under an HCP. All species, including plants, covered by the ITP receive assurances under our “No Surprises” regulations (50 CFR 17.22(b)(5)). Issuance of an ITP also must not jeopardize the existence of federally listed fish, wildlife, or plant species.

**Proposed Project Activities**

Santa Cruz County has applied for a permit for incidental take of the Mount Hermon June beetle. The take would occur in association with renovation and upgrades of facilities and infrastructure at the County of Santa Cruz Juvenile Hall. Project activities would occur within a 0.427-acre (ac) area, within which 0.270 ac is suitable habitat for the Mount Hermon June beetle. The HCP includes avoidance and minimization measures for the Mount Hermon June beetle and mitigation for unavoidable loss of suitable habitat through the restoration of suitable habitat adjacent to the project site or the purchase of conservation credits at a Service-approved conservation bank.

Verizon Wireless has applied for a permit for incidental take of the Mount Hermon June beetle and Zayante band-

winged grasshopper. The take would occur in association with the expansion of an existing wireless telecommunications facility. The site includes approximately 0.020 ac of suitable habitat for the Mount Hermon June beetle and Zayante band-winged grasshopper. The Service has designated the entire project site as critical habitat for the Zayante band-winged grasshopper. The HCP includes avoidance and minimization measures for the covered species and mitigation for unavoidable loss of suitable habitat through the purchase of conservation credits at a Service-approved conservation bank.

**Preliminary Determinations**

The Service has made preliminary determinations that issuance of these incidental take permits is neither a major Federal action that will significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*), nor will they individually or cumulatively have more than a negligible effect on the species covered in the HCPs. The Service considers the impacts of the renovation of the Santa Cruz County Juvenile Hall on the Mount Hermon June beetle to be minor, as the affected area is small (approximately 0.270 ac) and the project includes the restoration of suitable habitat or purchase of high-quality habitat at a Service-approved conservation bank. The Service considers the impacts of the Verizon Wireless Expansion Project on the Mount Hermon June beetle and Zayante band-winged grasshopper to be minor, as the affected area is small (approximately 0.020 ac) and the project includes the purchase of high-quality habitat at a Service-approved conservation bank. Therefore, based on this preliminary determination, both permits qualify for a categorical exclusion under NEPA.

**Public Comments**

If you wish to comment on the draft HCPs and categorical screening forms, you may submit comments by one of the methods in **ADDRESSES**.

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 view, 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).

**Stephen P. Henry,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2019-N045; FF08EVEN00-FXES111608MSSO0]

#### Marine Mammal Protection Act; Stock Assessment Report for the Southern Sea Otter in California

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

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** In accordance with the Marine Mammal Protection Act of 1972, as amended, we, the U.S. Fish and Wildlife Service, have developed a draft revised marine mammal stock assessment report for the southern sea otter stock in the State of California. We now make the draft stock assessment report available for public review and comment.

**DATES:** We will consider comments that are received or postmarked on or before April 27, 2020.

**ADDRESSES:** *Document availability:* If you wish to review the draft revised stock assessment report for southern sea otter, you may obtain a copy from our website at <http://www.fws.gov/ventura>. Alternatively, you may contact the Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003 (telephone: 805-644-1766).

*Comment submission:* If you wish to comment on the draft stock assessment report, you may submit your comments in writing by any one of the following methods:

- *U.S. mail:* Field Supervisor, at the above address;
- *Hand delivery:* Ventura Fish and Wildlife Office at the above address;
- *Fax:* 805-644-3958; or
- *Email:* [fw8ssostock@fws.gov](mailto:fw8ssostock@fws.gov).

**FOR FURTHER INFORMATION CONTACT:**

Lilian Carswell, at the above street address, by telephone (805-677-3325), or by email ([Lilian\\_Carswell@fws.gov](mailto:Lilian_Carswell@fws.gov)). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** We announce the availability for review and comment of a draft revised marine mammal stock assessment report (SAR) for the southern sea otter (*Enhydra lutris nereis*) stock in the State of California.

#### Background

Under the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), and its implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 18, the U.S. Fish and Wildlife Service (Service) regulates the taking; import; and, under certain conditions, possession; transportation; purchasing; selling; and offering for sale, purchase, or export, of marine mammals. One of the MMPA's goals is to ensure that stocks of marine mammals occurring in waters under U.S. jurisdiction do not experience a level of human-caused mortality and serious injury that is likely to cause the stock to be reduced below its *optimum sustainable population level* (OSP). OSP is defined under the MMPA as "the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element" (16 U.S.C. 1362(9)).

To help accomplish the goal of maintaining marine mammal stocks at their OSPs, section 117 of the MMPA requires the Service and the National Marine Fisheries Service (NMFS) to prepare a SAR for each marine mammal stock that occurs in waters under U.S. jurisdiction. A SAR must be based on the best scientific information available; therefore, we prepare it in consultation with regional scientific review groups established under section 117(d) of the MMPA. Each SAR must include:

1. A description of the stock and its geographic range;
2. A minimum population estimate, current and maximum net productivity rate, and current population trend;
3. An estimate of the annual human-caused mortality and serious injury by source and, for a strategic stock, other factors that may be causing a decline or impeding recovery;
4. A description of commercial fishery interactions;
5. A categorization of the status of the stock; and
6. An estimate of the *potential biological removal* (PBR) level.

The MMPA defines the PBR as "the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach

or maintain its OSP" (16 U.S.C. 1362(20)). The PBR is the product of the minimum population estimate of the stock ( $N_{\min}$ ); one-half the maximum theoretical or estimated net productivity rate of the stock at a small population size ( $R_{\max}$ ); and a recovery factor ( $F_r$ ) of between 0.1 and 1.0, which is intended to compensate for uncertainty and unknown estimation errors. This can be written as:

$$PBR = (N_{\min})(\frac{1}{2} \text{ of the } R_{\max})(F_r)$$

Section 117 of the MMPA also requires the Service and NMFS to review the SARs (a) at least annually for stocks that are specified as strategic stocks, (b) at least annually for stocks for which significant new information is available, and (c) at least once every 3 years for all other stocks. If our review of the status of a stock indicates that it has changed or may be more accurately determined, then the SAR must be revised accordingly.

A *strategic stock* is defined in the MMPA as a marine mammal stock "(a) for which the level of direct human-caused mortality exceeds the PBR level; (b) which, based on the best available scientific information, is declining and is likely to be listed as a threatened species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) [the "ESA"], within the foreseeable future; or (c) which is listed as a threatened or endangered species under the ESA, or is designated as depleted under [the MMPA]." 16 U.S.C. 1362(19).

#### Stock Assessment Report History for the Southern Sea Otter in California

The southern sea otter SAR was last revised in 2017. Because the southern sea otter is listed as a threatened species under the ESA, the stock is considered strategic. Therefore, the Service reviews the stock assessment annually. In 2018, Service review concluded that revision was not warranted because the status of the stock had not changed, nor could it be more accurately determined. However, upon review in 2019, the Service determined that revision was warranted because the status of the stock may be subject to change. The range-wide population index (*i.e.*, population level over a consecutive 3-year period) reached the ESA threshold (*i.e.*, exceeding 3,090 animals) for delisting consideration identified in the Southern Sea Otter Recovery Plan (U.S. Fish and Wildlife Service 2003). As a result, the Service will initiate an ESA status review to determine whether delisting of the southern sea otter is appropriate, which could result in a