

Endangered Species Act. The applicant requests the ITP to take the federally listed scrub-jay incidental to construction in Volusia County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

**DATES:** We must receive your written comments on or before December 20, 2021.

**ADDRESSES:**

*Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS-R4-ES-2021-0121 at <http://www.regulations.gov>.

*Submitting Comments:* If you wish to submit comments on any of the documents, you may do so in writing by any of the following methods:

- *Online:* <http://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2021-0121.

- *U.S. Mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2021-0121; U.S. Fish and Wildlife Service, MS: JAO/1N, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:** Erin M. Gawera, by telephone at 904-731-3121 or via email at [erin\\_gawera@fws.gov](mailto:erin_gawera@fws.gov). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the Fish and Wildlife Service, announce receipt of an application from Maury L. Carter and Associates Inc. (applicant) (Howland Property) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed scrub-jay (*Aphelocoma coerulescens*) incidental to the construction of a mixed-use commercial development (project) in Volusia County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). To make this determination, we used our environmental action statement and

low-effect screening form, which are also available for public review.

**Project**

Maury L. Carter and Associates Inc. requests a 10-year ITP to take scrub-jays by converting approximately 2.20 acres of occupied scrub-jay foraging and sheltering habitat incidental to the construction of a mixed-use commercial development located on a 36.69-acre parcel in Section 4, Township 19 South, Range 30 East, Volusia County, Florida. The applicant proposes to mitigate for take of the scrub-jays by the contribution of \$67,438.80 to the Florida Scrub-jay Conservation Fund (Fund) administered by The Nature Conservancy for the purchase of 4.40 acres, twice as much habitat as would be destroyed. The Service would require the applicant to make this contribution to the Fund within 30 days following the issuance of the incidental take permit by the Service and prior to engaging in activities associated with the project.

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment—including your personal identifying information—may be made available to the public. While you may request that we withhold your personal identifying information, we cannot guarantee that we will be able to do so.

**Our Preliminary Determination**

The Service has made a preliminary determination that the applicant's project, including land clearing, infrastructure building, landscaping, and the proposed mitigation measure, would individually and cumulatively have a minor or negligible effect on scrub-jays and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion and the HCP is low effect under our NEPA regulations at 43 CFR 46.205 and 46.210. A low-effect HCP is one that would result in (1) minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) minor or negligible effects on other environmental values or resources; and (3) impacts that, when considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result in significant cumulative effects to environmental values or resources over time.

**Next Steps**

The Service will evaluate the application and the comments received to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the preceding findings, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number PER0017037 to Maury L. Carter and Associates Inc.

**Authority**

The Service provides this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

**Robert L. Carey,**

*Division Manager, Environmental Review, Florida Ecological Services Field Office.*

[FR Doc. 2021-25119 Filed 11-17-21; 8:45 am]

**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R8-ES-2020-N174;  
FXES11140800000-212-FF08EVEN00]

**Endangered and Threatened Wildlife and Plants; Draft Habitat Conservation Plan and Draft Categorical Exclusion for the Central California Distinct Population Segment of the California Tiger Salamander; Churchill Family Properties Residential Development Project, San Benito 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), announce the availability of a draft habitat conservation plan (HCP) and draft categorical exclusion for activities associated with an application for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended. The ITP would authorize take of the Central California distinct population segment of the California tiger salamander incidental to activities associated with construction adjacent to the City of Hollister in San Benito County, California. The applicant developed the draft HCP as part of their application for an ITP. The Service

prepared a draft low-effect screening form and environmental action statement (CatEx) in accordance with the National Environmental Policy Act to evaluate the potential effects to the natural and human environment resulting from issuing an ITP to the applicant. We invite public comment on these documents.

**DATES:** Written comments should be received on or before December 20, 2021.

**ADDRESSES:**

**Obtaining Documents:** You may download a copy of the draft HCP and draft CatEx 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**).

**Submitting 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.

- **Email:** [mark\\_ogonowski@fws.gov](mailto:mark_ogonowski@fws.gov).

**FOR FURTHER INFORMATION CONTACT:**

Mark Ogonowski, Senior Fish and Wildlife Biologist, by email (see **ADDRESSES**), via phone at (805) 677-3350, via the Federal Relay Service at 1-800-877-8339 for TTY assistance, or by mail (see **ADDRESSES**).

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, announce the availability of a draft HCP and draft CatEx for activities associated with an application for an ITP under section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The ITP would authorize take of the Central California distinct population segment (DPS) of the California tiger salamander (*Ambystoma californiense*) incidental to activities associated with the subdivision of two adjoining parcels and construction of residential housing over a 23.5-acre project site adjacent to the City of Hollister in San Benito County, California. The site would be fully developed with single- and multi-family housing, rights of way for streets and utilities, and public open space lots. The applicant developed the draft HCP as part of their application for an ITP. The Service prepared a draft CatEx in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) to evaluate the potential effects to the natural and human environment resulting from issuing an ITP to the applicant. We invite public comment on all of these documents.

**Background**

The Service listed the Central California DPS of the California tiger salamander as threatened on August 4, 2004 (69 FR 47212). Section 9 of the ESA prohibits “take” of fish and wildlife species listed as endangered (16 U.S.C. 1538), where take is defined to include the following activities: “to 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). The take prohibitions of Section 9 are extended to species listed as threatened at the discretion of the Secretary of the Department of the Interior.

Under section 10(a)(1)(B) of the ESA (16 U.S.C. 1539(a)(1)(B)), we may issue permits to authorize take of listed fish and wildlife species that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for threatened species are in the Code of Federal Regulations (CFR) at 50 CFR 17.32. Issuance of an ITP also must not jeopardize the existence of federally listed fish, wildlife, or plant species, pursuant to section 7 of the ESA and 50 CFR 402.02. The permittee would receive assurances under our “No Surprises” regulations (50 CFR 17.32(b)(5)).

The Service designated critical habitat for the Central California DPS of the California tiger salamander on August 23, 2005 (70 CFR 49380). The project site encompasses 2.3 acres of California tiger salamander critical habitat unit EB 15A, representing approximately .09 percent of this unit and .001 percent of critical habitat designated for the species rangewide. The area of critical habitat overlapping the project site is fragmented from the remainder of unit EB 15A by Fairview Road, which is moderately trafficked.

**Proposed Activities**

The applicant has applied for a permit for incidental take of the Central California DPS of the California tiger salamander. The take would occur in association with the construction of residential housing over a 23.5-acre project site adjacent to the City of Hollister in San Benito County, California.

The HCP includes avoidance and minimization measures for the Central California DPS of the California tiger salamander and mitigation for unavoidable loss of habitat. As mitigation, the applicant proposes to purchase credits from a Service-approved conservation bank. The Service in collaboration with the

applicant determined the required mitigation using a habitat model based on the methodology in *Calculating Biologically Accurate Mitigation Credits: Insights from the California tiger Salamander* (Searcy and Shaffer 2008). The method assigns a value to habitat that scales with the reproductive value of the individuals estimated to be occupying an area, which is a function of (1) distance to each known or potential breeding pond within dispersal distance of the site, and (2) surrounding land-use. A mitigation ratio of 1:1 (reproductive value lost: Reproductive value conserved) is then applied to determine the amount of mitigation required to offset impacts to California tiger salamander habitat based on the per-credit habitat value of mitigation credits at the chosen conservation bank.

**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 view, we cannot guarantee that we will be able to do so.

**Authority**

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

**Stephen Henry,**

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

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**DEPARTMENT OF THE INTERIOR**

**Office of Natural Resources Revenue**

[Docket No. ONRR-2011-0021; DS63644000 DRT000000.CH7000 223D1113RT, OMB Control Number 1012-0002]

**Agency Information Collection Activities: Indian Oil and Gas Valuation**

**AGENCY:** Office of Natural Resources Revenue (“ONRR”), Interior.

**ACTION:** Notice of information collection; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (“PRA”), ONRR is proposing to renew