

groundwater recharge or directly to the neighboring farming community on the Oxnard Plain. Spanning the entire 366-m river channel, the 7.6-m tall diversion dam presents an obstacle to endangered steelhead that must migrate to and from their historical spawning and rearing habitats in the upper watershed and the estuary and ocean to complete their life cycle. To improve passage of endangered steelhead and renovate and expand the existing headworks of the Freeman Diversion, the applicant's April 9, 2024 application proposes: (1) renovating the existing Denil fish ladder and diversion headworks; (2) resurfacing the diversion's grade-control structure; (3) operating the fish-passage, water diversion, and sediment-management systems; (4) capturing and relocating steelhead; (5) expanding the off-channel water-conveyance infrastructure and diversion capacity to 21.24 m<sup>3</sup> per second; (6) maintaining facilities and property; (7) developing conservation and monitoring programs; (8) restoring and enhancing habitat; and (9) implementing adaptive-management measures. The applicant seeks a 50-year permit term to exempt incidental take of endangered steelhead associated with the foregoing activities, which are described further in the applicant's Habitat Conservation Plan (HCP). Additionally, the HCP specifies the steps that the applicant will undertake to avoid, minimize, mitigate, and monitor the impacts of the proposed activities and related incidental take on endangered steelhead.

#### Authority

Section 9 of the ESA and Federal regulation prohibit the take of the Endangered Southern California Distinct Population Segment of Steelhead (endangered steelhead). The ESA defines "take" to mean harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. However, under section 10(a)(1)(B) of the ESA, we may issue permits to authorize incidental take. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Section 10(a)(2)(A) of the ESA requires an applicant for an incidental take permit to submit an HCP that specifies the steps the applicant will take to minimize and mitigate the impacts of the taking on the species. Regulations governing incidental take permits for threatened and endangered species are found at 50 CFR 222.307.

#### National Environmental Policy Act

We are withdrawing the NOI published in the **Federal Register** on November 11, 2013 (78 FR 67336) to prepare an EIS in accordance with the National Environmental Policy Act (NEPA) to analyze the impacts on the human environment resulting from the potential for issuing a HCP on a previous permit application from the applicant. We are taking this action because the proposed action for the previous permit application used as the basis for preparing the NOI has changed, and the original analysis is outdated. Additional details about the range of alternatives considered in this action are included in the November 11, 2013 NOI and are not repeated here. We solicited public input on the scope of the analysis through a public comment on the NOI from November 11, 2013 until January 13, 2014.

We will revisit and fulfill all necessary NEPA obligations once the revised permit application has been determined to meet issuance criteria.

#### Next Steps

We will evaluate the applicant's April 9, 2024 permit application, including the HCP, related documents, and public comments received, to determine whether the application meets the criteria for issuing a permit under 16 U.S.C. 1539(a)(2)(B). In addition, we will evaluate whether issuing a section 10(a)(1)(B) permit to the applicant would comply with section 7 of the ESA through the conduct of an intra-agency section 7 consultation. The final NEPA and permit determinations will not be made until after the end of the comment period. NMFS will publish a record of its final action in the **Federal Register**.

Dated: July 23, 2024.

**Angela Somma,**

*Chief, Endangered Species Division, Office of Protected Resources, National Marine Fisheries Service.*

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#### DEPARTMENT OF DEFENSE

##### Department of the Air Force

##### Record of Decision for the KC-46A Fifth Main Operating Base Beddown

**AGENCY:** Department of the Air Force, Department of Defense.

**ACTION:** Notice of availability of a record of decision.

**SUMMARY:** The United States Air Force signed the Record of Decision for the

KC-46A Fifth Main Operating Base (MOB 5) on July 16, 2024.

**ADDRESSES:** For further information contact: Mr. Austin Narranjo, AFCEC/CIE, 2261 Hughes Ave., Suite 155, JBSA Lackland, TX 78236, ph: (478) 222-9225.

**FOR FURTHER INFORMATION CONTACT:** Mr. Austin Narranjo, AFCEC/CIE, 2261 Hughes Ave., Suite 155, JBSA Lackland, TX 78236, phone: (478) 222-9225, or email: [austin.naranjo.1@us.af.mil](mailto:austin.naranjo.1@us.af.mil).

**SUPPLEMENTARY INFORMATION:** The Record of Decision reflects the Air Force decision to beddown 12 KC-46A Primary Aerospace Vehicles Authorized (PAA) at March Air Reserve Base in Riverside County, California.

The decision was based on matters discussed in the KC-46A Fifth Main Operating Base Beddown Final Environmental Impact Statement, contributions from the public and regulatory agencies, and other relevant factors. The Final Environmental Impact Statement was made available to the public on April 19, 2024 through a Notice of Availability published in the **Federal Register** (Volume 89, Number 77, page 28771) with a 30-day wait period that ended on May 19, 2024.

**Authority:** This Notice of Availability is published pursuant to the regulations (40 CFR part 1506.10) implementing the provisions of the National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*) and the Air Force's Environmental Impact Analysis Process (32 CFR parts 989.21(b) and 989.24(b)(7)).

**Tommy W. Lee,**

*Acting Air Force Federal Register Liaison Officer.*

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#### DEPARTMENT OF EDUCATION

##### National Advisory Committee on Institutional Quality and Integrity Meeting

**AGENCY:** National Advisory Committee on Institutional Quality and Integrity (NACIQI or Committee), Office of Postsecondary Education, Department of Education.

**ACTION:** Announcement of an open meeting; and update to the meeting location.

**SUMMARY:** This notice sets forth the agenda, time, and instructions to access or participate in the August 6-8, 2024, virtual meeting of NACIQI, and provides information to members of the public regarding the meeting, including