

Wildlife Service, 7915 Baymeadows Way, Suite 200, Jacksonville, FL 32256.

*In-person drop-off:* You may drop off information during regular business hours at the above office address.

**FOR FURTHER INFORMATION CONTACT:** Erin M. Gawera, telephone: (904) 731-3121; email: [erin\\_gawera@fws.gov](mailto:erin_gawera@fws.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 9 of the Act (16 U.S.C. 1531 *et seq.*) and our implementing Federal regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17 prohibit the “take” of fish or wildlife species listed as endangered or threatened. Take of listed fish or wildlife is defined under the Act as “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). However, under limited circumstances, we issue permits to authorize incidental take—i.e., take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Regulations governing incidental take permits for threatened and endangered species are at 50 CFR 17.32 and 17.22, respectively. The Act’s take prohibitions do not apply to federally listed plants on private lands unless such take would violate State law. In addition to meeting other criteria, an incidental take permit’s proposed actions must not jeopardize the existence of federally listed fish, wildlife, or plants.

**Applicant’s Proposal**

The City of Deltona is requesting additional take of approximately 0.9 acres (ac) of occupied Florida scrub-jay foraging and sheltering habitat incidental to construction of a 24-ac public park. The existing 10-year permit is for take of approximately 1.9 acres (ac) for a 35-ac public utility on the same property. The 122-ac project site is located on parcel numbers

31183166150001, 31183105150010, 31183105140010, 31183105130010, 31183105120010, 31183105110010, 31183105160010, 31183105170010, 31183105180010, 31183105190010, 31183105200010, 31183104050010, 31183104040010, 31183104030010, 31183104020010, 31183104010010, 31183166170001, 31183104060010, 31183104070010, 31183104080010, 31183104090010, 31183104100010, 31183103010010, 31183103020010, 31183103030010, 31183103040010, 31183103050010, 31183103060010, 31183103070010, 31183103080010, 31183103090010, 31183103100010, 31183103030010, and 31183103080160,

within Section 31, Township 18 South, Range 31 East, Volusia County, Florida. The project includes construction of a public park and public utility and the associated infrastructure, and landscaping. The applicant proposes to mitigate for the take of the Florida scrub-jay through the additional deposit of good funds in the amount of \$13,320.90 to the Nature Conservancy’s Conservation Fund, for the management and conservation of the Florida scrub-jay based on Service Mitigation Guidelines. The applicant has deposited \$56,243.80 to the Nature Conservancy’s Conservation Fund for the public utilities.

Adventist Health System/Sunbelt, Inc. is requesting take of approximately 3.08 acres (ac) of occupied sand skink foraging and sheltering habitat incidental to construction of a 73-ac hospital, and seeks a 10-year permit. The 73-ac project site is located on parcel numbers 20-21-28-0000-00-007, 20-21-28-0000-00-042, 20-21-28-0000-00-044, and 20-21-28-0000-00-046, within Section 20, Township 21 South, Range 28 East, Orange County, Florida. The project includes construction of a hospital and the associated infrastructure, and landscaping. The applicant proposes to mitigate for the take of the sand skink by the purchase of 6.2 mitigation credits within the Sebring Scrub Conservation Bank.

**Our Preliminary Determination**

We have determined that the applicant’s proposals, including the proposed mitigation and minimization measures, would have minor or negligible effects on the species covered in the HCPs. Therefore, we determined that the ITPs are “low-effect” projects and qualify for categorical exclusions under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1). A low-effect HCP is one involving (1) Minor or negligible effects on federally listed or candidate species and their habitats, and (2) minor or negligible effects on other environmental values or resources.

**Next Steps**

We will evaluate the plans and comments we receive to determine whether the ITP applications meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If we determine that the applications meet these requirements, we will issue ITP #TE28377B-1 and TE41877B-0. We will also evaluate whether issuance of the section 10(a)(1)(B) ITPs comply with

section 7 of the Act by conducting intra-Service section 7 consultations. We will use the results of these consultations, in combination with the above findings, in our final analysis to determine whether or not to issue the ITPs. If the requirements are met, we will issue the permits to the applicants.

**Public Comments**

If you wish to comment on the permit application, plan, and associated documents, you may submit comments by any one of the methods in

**ADDRESSES.**

**Public Availability of Comments**

Before including your address, phone number, email address, or other personal identifying information in your comments, 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.

**Authority**

We provide this notice under Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

Dated: July 28, 2014.

**Jay B. Herrington,**

*Field Supervisor, Jacksonville Field Office.*

[FR Doc. 2014-18591 Filed 8-5-14; 8:45 am]

**BILLING CODE 4310-55-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

**[FWS-R5-ES-2014-0020; 50120-1112-0000]**

**Availability of a Revised Environmental Assessment and Incidental Take Plan for the Maine Department of Inland Fisheries and Wildlife’s Trapping Program**

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

**ACTION:** Notice of availability.

**SUMMARY:** On November 9, 2011, we, the U.S. Fish and Wildlife Service (Service), published a notice of availability of a draft environmental assessment (DEA) and receipt of an application for an incidental take permit (permit) pursuant to the Endangered Species Act of 1973, as amended (ESA), submitted by the Maine Department of Inland Fisheries and Wildlife (MDIFW), for the Maine Trapping Program Incidental Take Plan (ITP). MDIFW is requesting a permit

under the ESA to authorize take of the federally threatened Canada lynx incidental to otherwise lawful activities associated with MDIFW's statewide furbearer trapping program. The permit would be in effect for 15 years.

During the 60-day comment period, the Service received numerous comments on the DEA and the ITP. MDIFW revised the draft ITP to address public and Service comments and submitted a revised ITP to the Service in July 2013. The Service then revised its DEA. This notice announces the availability for a 30-day supplemental public comment period of both the revised DEA and the revised ITP for MDIFW's incidental take permit application.

**DATES:** To ensure consideration, we must receive your written comments by September 5, 2014. Comments submitted electronically using the Federal eRulemaking Portal (see **ADDRESSES** section, below) must be received by 11:59 p.m. Eastern Time on the closing date.

**ADDRESSES:** Written comments may be submitted electronically via the Federal eRulemaking Portal: <http://www.regulations.gov>, or in hard copy, via U.S. mail, to: Public Comments Processing, Attn: FWS-R5-ES-2014-0020; U.S. Fish and Wildlife Service Headquarters, MS: BPHC; 5275 Leesburg Pike; Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:** Laury Zicari, by U.S. mail at the U.S. Fish and Wildlife Service, Maine Field Office, 17 Godfrey Drive, Suite #2, Orono, ME 04473; or by phone at 207-866-3344.

**SUPPLEMENTARY INFORMATION:**

**Background**

On November 9, 2011 (76 FR 69758), the Service published a notice of availability of a draft environmental assessment (DEA) and receipt of an application for an incidental take permit (permit), pursuant to section 10(a)(1)(B) of the ESA (16 U.S.C. 1531 *et seq.*), for the Maine Trapping Program Incidental Take Plan (ITP). The Maine Department of Inland Fisheries and Wildlife (MDIFW) is requesting a permit under the ESA to authorize take of the federally threatened Canada lynx (*Lynx canadensis*) incidental to otherwise lawful activities associated with MDIFW's statewide furbearer trapping programs (i.e., fur trapping, animal damage, and predator management control). The permit would be in effect for 15 years.

During the 60-day comment period, which ran through January 9, 2012, the Service received numerous comments

on the DEA and the draft ITP. The MDIFW revised the draft ITP to address public and Service comments and submitted a revised ITP to the Service on July 29, 2013. The Service then revised its DEA. This notice announces the availability for a 30-day supplemental public comment period of both the revised DEA and the revised ITP for MDIFW's incidental take permit application.

**How Incidental Take Permits Work**

Section 9 of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the ESA as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct" (16 U.S.C. 1538). However, under section 10(a)(1)(B) of the ESA, we may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species, respectively, are found in the Code of Federal Regulations (50 CFR 17.22 and 17.32).

If an incidental take permit is granted to MDIFW, the State and licensed trappers conducting otherwise legal trapping activities would be authorized to incidentally take Canada lynx according to limitations prescribed in the revised ITP, along with any additional conditions the Service determines are necessary and appropriate for issuance of an incidental take permit.

**Applicant's Revised Incidental Take Permit Application**

On July 29, 2013, the Service received a revised ITP from MDIFW that incorporates changes responding to comments from the public and the Service. The revised ITP includes important changes and clarifications from MDIFW's previous draft ITP, which was submitted to the Service in 2008 and released for comment in 2011 (76 FR 69758). Under the covered activities of the revised ITP, MDIFW includes predator management and animal damage control programs, in addition to recreational fur trapping. Several new methods of trapping and new trapping regulations would be implemented, including lifting the size restrictions on foothold traps. Measures to avoid and minimize take have been updated to include increased veterinary oversight, protocols for responding to

orphan kittens, increased trapper outreach, and increased compliance monitoring. Further, the revised ITP incorporates additional contingencies to address a number of potential changed circumstances. The requested incidental take over the 15-year duration of the permit is increased to 195 incidentally trapped lynx, of which 9 may experience major injury and 3 may die. The other incidentally trapped lynx would be released with no or minor injuries. Finally, MDIFW has clarified the mitigation strategy and seeks to address the impact of lynx mortalities. Mitigation consists of maintaining and enhancing at least 4,785 acres of lynx habitat on a 10,411-acre area on the Maine Division of Parks and Public Lands Seboomook Unit in northern Maine.

**Service's Revised Draft Environmental Assessment**

The Service has revised its DEA to reflect MDIFW's revised ITP. The changes to the DEA include: (1) A revised purpose and need for a permit; (2) new alternatives to the proposed action; (3) a description of the aspects of the human environment that would be affected by MDIFW's trapping programs; and (4) an evaluation of the environmental consequences of the proposed project and the mitigation measures.

The DEA considers four alternatives:

(1) Status quo: No action, no incidental take permit is issued, and trapping continues in its current form consistent with the requirements of the 2007 Consent Decree. The Consent Decree is a settlement agreement stemming from an earlier lawsuit, *Animal Protection Institute v. Roland D. Martin*, which imposes a number of restrictions on trapping activities in lynx wildlife management districts. Fur trapping, predator management, and animal damage control continue statewide in this alternative.

(2) No action: No incidental take permit is issued, and, to avoid take of lynx, MDIFW discontinues all trapping programs in lynx wildlife management districts.

(3) Proposed action: An incidental take permit is issued to MDIFW, and measures in the 2013 revised ITP are implemented.

(4) An incidental take permit is issued to MDIFW for statewide fur trapping, but the predator management and animal damage control programs in lynx wildlife management districts are discontinued. Fur trapping measures in the 2013 revised ITP are implemented.

For alternatives 2 to 4, we presume that the described programs would

replace the requirements of the 2007 Consent Decree, which would ultimately be rescinded. A number of issues that were raised during the initial public comment period on the DEA are still relevant to the revised proposed action. Therefore, the Service's DEA also has included a response to comments to explain how those issues are handled in MDIFW's revised ITP and the Service's revised DEA.

### Next Steps

We will evaluate the revised ITP and comments we receive on the Service's revised DEA to determine whether the permit application meets the requirements of section 10(a) of the ESA (16 U.S.C. 1531 *et seq.*). We will also evaluate whether issuance of a section 10(a)(1)(B) permit would comply with section 7 of the ESA by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether to issue a permit. If the requirements are met, we will issue the permit to the applicant.

### Authority

This notice is provided pursuant to section 10(c) of the ESA and the National Environmental Policy Act regulations (40 CFR 1506.6).

Dated: July 22, 2014.

**Paul R. Phifer,**

*Assistant Regional Director, Ecological Services.*

[FR Doc. 2014-18548 Filed 8-5-14; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R3-ES-2014-N159;  
FXES11130300000-145-FF03E00000]

### Endangered and Threatened Wildlife and Plants; Permit Applications

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service (USFWS), invite the public to comment on the following applications we've received for permits to authorize take of federally listed species. Although the Endangered Species Act (Act) prohibits the take of species listed as endangered or threatened under the Act, the USFWS may issue permits authorizing the take of endangered or threatened species if certain conditions are met by the

applicant, and when such take will not appreciably reduce the likelihood of the survival and recovery of the species in the wild. The Act requires that we invite public comment before we issue these permits.

**DATES:** We must receive any written comments on or before September 5, 2014.

**ADDRESSES:** Send written comments by U.S. mail to the Regional Director, Attn: Thomas J. Magnuson, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458; or by electronic mail to [permitsR3ES@fws.gov](mailto:permitsR3ES@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Thomas J. Magnuson, (612) 713-5467.

### SUPPLEMENTARY INFORMATION:

#### Background

We invite public comment on the following permit applications for certain activities with federally listed species authorized by section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*) and our regulations governing the taking of endangered species in the Code of Federal Regulations (CFR) at 50 CFR part 17. Submit your comments, or request for a copy of the complete application to the mailing address or email address shown in **ADDRESSES**.

#### Permit Applications

*Permit Application Number: TE40128B*

*Applicant:* Charles Morgan, Mainstream Commercial Divers, Inc.

The applicant requests a permit to take (survey, capture and release; non-destructive sampling) all threatened and endangered unionid mussels within the States of Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number: TE82666A*

*Applicant:* Justin Boyles, University of Southern Illinois

The applicant requests a permit amendment to add the northern long-eared bat (*Myotis septentrionalis*) to their permit. The requested amendment would also add personnel to the permit. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number: TE049738*

*Applicant:* Foree Davis, Third Rock Consultants, LLC.

The applicant requests a permit amendment to add the following mussel and fish species to their permit. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

#### Mussel Species

Alabama lampmussel (*Lampsilis virescens*)  
Alabama moccasinshell mussel (*Medionidus acutissimus*)  
Appalachian elktoe mussel (*Alasmidonta raveneliana*)  
Appalachian monkeyface mussel (*Quadrula sparsa*)  
Birdwing pearlymussel (*Lemiox rimosus*)  
Coosa moccasinshell (*Medionidus parvulus*)  
Cracking pearlymussel (*Hemistena lata*)  
Finelined pocketbook mussel (*Lampsilis altilis*)  
Finerayed pigtoe mussel (*Fusconaia cuneolus*)  
Fluted kidneyshell mussel (*Ptychobranchus subtentum*)  
Georgia pigtoe mussel (*Pleurobema hanleyianum*)  
Green blossom pearlymussel (*Epioblasma torulosa gubernaculum*)  
Ovate clubshell mussel (*Pleurobema perovatium*)  
Pale Lilliput mussel (*Toxolasma cylindrellus*)  
Rabbitsfoot mussel (*Quadrula cylindrica cylindrica*)  
Rayed bean (*Villosa fabalis*)  
Rough rabbitsfoot (*Quadrula cylindrica strigillata*)  
Scaleshell mussel (*Leptodea leptodon*)  
Sheepnose (*Plethobasus cyphus*)  
Shiny pigtoe (*Fusconaia cor*)  
Slabside pearlymussel (*Pleurobema dolabelloides*)  
Snuffbox mussel (*Epioblasma triquetra*)  
Southern acornshell mussel (*Epioblasma othcaloogenis*)  
Southern pigtoe mussel (*Pleurobema georgianum*)  
Spectacle mussel (*Cumberlandia monodonta*)  
Tan riffleshell mussel (*Epioblasma florentina walkeri*)  
Triangular kidneyshell mussel (*Ptychobranchus greenii*)  
Tubercled blossom mussel (*Epioblasma torulosa torulosa*)  
Turgid blossom mussel (*Epioblasma turgidula*)  
White wartyback mussel (*Plethobasus cicatricosus*)  
Winged mapleleaf mussel (*Quadrula fragosa*)  
Yellow blossom mussel (*Epioblasma florentina florentina*)

#### Fish Species

Spotfin chub (*Erimonax monachus*)