

conditions, the Ranch landowner may therefore be interested in having nene on the Ranch for a longer period of time. The Ranch will notify DLNR and the Service in advance of conducting any activities that it anticipates will adversely affect the nene and also report any dead, injured, or diseased nene during the term of the permit, as well as provide a report on the status of the reintroduced nene population every 5 years after the SHA expires for the 50-year term of the permit.

If at the end of 10 years the Ranch plans to return to baseline conditions, they will notify DLNR and the Service to provide time to relocate nene from the property. At the end of the term of the SHA, the Ranch may also remove any nene habitat and return the property to the baseline conditions existing prior to the SHA. Additionally, the Ranch will provide 1-year notice to DLNR and the Service prior to a potential return to baseline conditions to allow DLNR to develop a suitable alternate site and move birds. The SHA may be renewed upon approval by the Service and DLNR.

#### National Environmental Policy Act Compliance

The development of the draft SHA and the proposed issuance of a permit is a Federal action that triggers the need for compliance with the National Environmental Policy Act of 1969, as amended (NEPA; 42 U.S.C. 4321 *et seq.*). The Service has made a preliminary determination that the proposed SHA and permit application are eligible for a categorical exclusion under NEPA, based on the following criteria: (1) Implementation of the SHA would result in minor or negligible adverse effects on federally listed, proposed, and candidate species and their habitats; (2) implementation of the SHA would result in minor or negligible adverse effects on other environmental values or resources; and (3) impacts of the SHA, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative adverse effects to environmental values or resources which would be considered significant. We explain the basis for this determination in more detail in an Environmental Action Statement (EAS) that is also available for public review.

Based on the EAS, we have preliminarily determined that the issuance of the associated permit would have minor or negligible adverse effects on the species covered in the SHA. Therefore, we determined that the SHA qualifies for categorical exclusion under

NEPA, as provided by the Department of the Interior NEPA regulations (43 CFR part 46).

#### Public Availability of Comments

All comments and materials we receive become part of the public record associated with this action. 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. Comments and materials we receive, as well as supporting documentation we use in preparing the EAS, will be available for public inspection by appointment, during normal business hours, at our Pacific Islands Fish and Wildlife Office (see **ADDRESSES**).

#### Authority

We provide this notice in accordance with the requirements of section 10(c) of the ESA and its implementing regulations (50 CFR 17.22 and 17.32) and NEPA and its implementing regulations (40 CFR 1506.6).

#### Katherine B. Hollar,

*Acting Deputy Regional Director, Pacific 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-R1-ES-2018-N147];  
[FXES11140100000-189-FF01E00000]

#### Proposed Green Diamond Resource Company Candidate Conservation Agreement With Assurances for Fisher in Oregon

**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 an enhancement of survival permit application from Green Diamond Resource Company pursuant to the Endangered Species Act (ESA). The requested permit would authorize the incidental take of fisher should the species become federally listed in the future under the ESA. The permit application is associated with a

template candidate conservation agreement with assurances (CCAA) previously developed for the conservation of the fisher. We also have prepared a draft environment action statement (EAS) pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA) for the potential issuance of this individual permit. We are making the permit application package and draft EAS available for public review and comment.

**DATES:** To ensure consideration, written comments must be received from interested parties no later than March 21, 2019.

**ADDRESSES:** To request further information or submit written comments, please use one of the following methods, and note that your information request or comments are in reference to the "Green Diamond CCAA."

- **Internet:** Documents may be viewed on the internet at <http://www.fws.gov/oregonfwo/>.

- **Email:**

*GreenDiamondCCAAcomments@fws.gov*. Include "Green Diamond CCAA" in the subject line of the message or comments.

- **U.S. Mail:** State Supervisor, Oregon Fish and Wildlife Office, U.S. Fish and Wildlife Service; 2600 SE 98th Avenue, Suite 100 Portland, OR 97266.

- **Fax:** 503-231-6195, Attn: Green Diamond CCAA.

- **In-Person Drop-off, Viewing, or Pickup:** Comments and materials received will be available for public inspection, by appointment (necessary for viewing or picking up documents only), during normal business hours at the Oregon Fish and Wildlife Office (at the above address); call 503-231-6179 to make an appointment. Written comments can be dropped off during regular business hours at the above address on or before the closing date of the public comment period (see **DATES**).

#### FOR FURTHER INFORMATION CONTACT:

Richard Szlemp (see **ADDRESSES**); telephone: 503-231-6179; facsimile: 503-231-6195. If you use a telecommunications device for the deaf, please call the Federal Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service (Service), have received an enhancement of survival permit application from Green Diamond Resource Company pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permit would authorize the incidental take of fisher (*Pekania pennanti*) during

Green Diamond Resource's routine forest-related management activities for a period of 29 years should the fisher become federally listed in the future under the ESA. The permit application is associated with a template candidate conservation agreement with assurances (CCAA) previously developed for the conservation of the fisher.

### Background

A CCAA is a voluntary agreement whereby landowners agree to manage their lands to remove or reduce threats to species that may become listed under the ESA (64 FR 32726; June 17, 1999). CCAAs are intended to facilitate the conservation of proposed and candidate species, and species likely to become candidates in the near future by giving non-Federal property owners incentives to implement conservation measures for declining species by providing certainty with regard to land, water, or resource use restrictions that might be imposed should the species later become listed as threatened or endangered under the ESA. In return for managing their lands to the benefit of the covered species, enrolled landowners receive assurances that additional regulatory requirements pertaining to the covered species will not be required if the covered species becomes listed as threatened or endangered under the ESA, so long as the CCAA remains in place and is being fully implemented.

A CCAA serves as the basis for the Service to issue enhancement of survival permits to non-Federal participants pursuant to section 10(a)(1)(A) of the ESA. Application requirements and issuance criteria for permits under CCAAs are found in the Code of Regulations (CFR) at 50 CFR 17.22(d) and 17.32(d). The Service developed a template CCAA for the West Coast Distinct Population Segment (DPS) of the fisher in Oregon and a draft EAS for future permit issuance under the finalized template to comply with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*). The template CCAA and the EAS were noticed for comment in the **Federal Register** (81 FR 15737; March 24, 2016). The template CCAA and EAS were finalized and signed by the Service on June 20, 2018.

The CCAA template established general guidelines and identified minimum conservation measures for potential participants in the CCAA. Interested participants can voluntarily enroll their property under the CCAA through individual "site plans" that are submitted as part of their permit applications. The permits would authorize incidental take with

assurances to qualifying landowners who carry out conservation measures that would benefit the West Coast DPS of the fisher.

### Proposed Action

Pursuant to the ESA, we have received an application for an enhancement of survival permit from Green Diamond Resource Company under the template CCAA for their lands in Oregon. The requested permit would authorize the incidental take of fisher, should it become federally listed, during Green Diamond Resource's routine forest-related management activities on their properties in Jackson, Klamath, and Lake Counties, Oregon for a period of 29 years, which is the current time remaining under the template CCAA. Approximately 491,544 acres of Green Diamond Resource lands would be covered under the CCAA. The permit application includes a (1) proposed site plan that describes the lands to be covered by the permit and (2) the required conservation measures of the template CCAA.

We are making the permit application package, including the site plan, as well as the draft EAS, available for public review and comment (see **ADDRESSES**). The final template CCAA and prior EAS are also available for reference.

### Public Comments

You may submit your comments and materials by one of the methods listed in the **ADDRESSES** section. We request data, comments, new information, or suggestions from the public, other concerned governmental agencies, the scientific community, Tribes, industry, or any other interested party on our proposed Federal action, including adequacy of the site plan in relation to the template CCAA pursuant to the requirements for permits at 50 CFR parts 13 and 17.

### Public Availability of Comments

All comments and materials we receive become part of the public record associated with this action. 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. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of

organizations or businesses, will be made available for public disclosure in their entirety. Comments and materials we receive, as well as supporting documentation, will be available for public inspection by appointment, during normal business hours, at our Oregon Fish and Wildlife Office (see **ADDRESSES**).

### Authority

We provide this notice in accordance with the requirements of section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*), and NEPA (42 U.S.C. 4321 *et seq.*) and their implementing regulations (50 CFR 17.22, and 40 CFR 1506.6, respectively).

**Kevin S. Foerster,**

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R2-ES-2019-N152;  
FXES11140200000-189-FF02ENEH00]

### Incidental Take Permit Application To Participate in American Burying Beetle Amended Oil and Gas Industry Conservation Plan in Oklahoma

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

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

**SUMMARY:** Under the Endangered Species Act, we, the U.S. Fish and Wildlife Service, invite the public to comment on a federally listed American burying beetle incidental take permit (ITP) application. The applicant anticipates American burying beetle take as a result of impacts to Oklahoma habitat the species uses for breeding, feeding, and sheltering. The take would be incidental to the applicant's activities associated with oil and gas well field and pipeline infrastructure (gathering, transmission, and distribution), including geophysical exploration (seismic), construction, maintenance, operation, repair, decommissioning, and reclamation. If approved, the permit would be issued under the approved *American Burying Beetle Amended Oil and Gas Industry Conservation Plan (ICP) Endangered Species Act Section 10(a)(1)(B) Permit Issuance in Oklahoma*.

**DATES:** To ensure consideration, we must receive written comments on or before March 21, 2019.