

Guam  
 Andersen AFB  
 Andersen AFB Family Housing  
 Andersen GU  
 Landholding Agency: Navy  
 Property Number: 77201640013  
 Status: Excess  
 Comments: Friable asbestos  
 Reasons: Contamination  
 Andersen AFB Family Housing  
 Robert's Terrace Housing Area  
 Andersen GU  
 Landholding Agency: Navy  
 Property Number: 77201640014  
 Status: Excess  
 Directions: Some Capehart Housing along  
 Ponape Blvd.  
 Comments: Friable asbestos  
 Reasons: Contamination

Missouri  
 Table Rock Lake Project  
 TRL-45426  
 Cape Fair Recreation Area Pit Toilet  
 Cape Fair MO 65624  
 Landholding Agency: COE  
 Property Number: 31201640019  
 Status: Underutilized  
 Comments: Extensive deterioration; building  
 in disrepair due to cracks in the  
 foundation, walls & sidewalk.  
 Reasons: Extensive deterioration

01002 LONGBR-29279  
 Dwelling Frame W/Double Garage & Patio  
 30174 Visitor Center Road  
 Macon MO 63552  
 Landholding Agency: COE  
 Property Number: 31201640020  
 Status: Excess  
 Directions: Long Branch Project  
 Comments: Unsound foundation; black mold  
 throughout; water damage on ceiling;  
 fireplace collapsing.  
 Reasons: Extensive deterioration

Montana  
 3 Buildings  
 Tiber Dam Camp, N1/2, SW1/4, SE1/4  
 Chester MT 59522  
 Landholding Agency: Interior  
 Property Number: 61201640003  
 Status: Excess  
 Directions: R008400200B, R008400400B,  
 R008400300B  
 Comments: Rodent damaged and extensive  
 deterioration of wood; clear threat to  
 physical safety  
 Reasons: Extensive deterioration

Nebraska  
 543800B117 Cattle Polished  
 #73 RPUID:03.55111  
 844 RD 313  
 Clay Center NE 68933  
 Landholding Agency: Agriculture  
 Property Number: 15201640026  
 Status: Excess  
 Directions: 19606 HRUSKA U.S. Meat  
 Animal Research Center  
 Comments: Not structurally sound.  
 Reasons: Extensive deterioration

Nevada  
 FMA HSG 800-804  
 (&99011 Land Fee Pru)  
 Tonopah AFS Z164-WZVS  
 Tonopah NV 89049

Landholding Agency: Air Force  
 Property Number: 18201530002  
 Status: Excess  
 Directions: Fac #80000818213 #2 Victoria St.;  
 80100818212 #3 Victoria St.; 80300818210  
 #5 Victoria St.; 80300818209 #6 Victoria  
 St.; 80400818208 #7 Victoria St.  
 Comments: Documented deficiencies:  
 severely weather damaged; significant  
 rodent infestation; clear threat of physical  
 safety  
 Reasons: Extensive deterioration

Virgin Islands  
 Cinnamon Bay Concession Cottage  
 Cinnamon Bay Campground  
 on North Shore Road  
 St. John VI 00830  
 Landholding Agency: Interior  
 Property Number: 61201640002  
 Status: Underutilized  
 Directions: #1-10  
 Comments: Property located within floodway  
 which has not been correct or contained;  
 documented deficiencies; foundation is  
 crumbling at the edges causing the  
 stuccoed walls to sink.  
 Reasons: Floodway; Extensive deterioration

#### Unsuitable Properties

##### Land

California  
 Steam Plant  
 Naval Air Station North Island  
 Coronado CA  
 Landholding Agency: Navy  
 Property Number: 77201640010  
 Status: Underutilized  
 Directions: 2.62 acres of land  
 Comments: Public access denied and no  
 alternative method to gain access without  
 compromising national security.  
 Reasons: Secured Area

Steam Plant Parking Area  
 Naval Air Station North Island  
 Coronado CA  
 Landholding Agency: Navy  
 Property Number: 77201640011  
 Status: Underutilized  
 Directions: 1.1 acres of land  
 Comments: Public access denied and no  
 alternative method to gain access without  
 compromising national security.  
 Reasons: Secured Area

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**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2016-N230];  
 [FXES1114080000-178-FF08ECAR00]

### Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application; Proposed Low-Effect Habitat Conservation Plan and Associated Documents; City of Monterey Park, 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 an application from Monterey Park Retail Partners, LLC (applicant) for a 5-year incidental take permit for the threatened coastal California gnatcatcher (*Polioptila californica californica*) pursuant to the Endangered Species Act of 1973, as amended (Act). We are requesting comments on the permit application and on the preliminary determination that the proposed Habitat Conservation Plan qualifies as a "low-effect" habitat conservation plan, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended. The basis for this determination is discussed in the environmental action statement (EAS) and the associated low-effect screening form, which are also available for public review.

**DATES:** Written comments should be received on or before January 30, 2017.

**ADDRESSES:** *Submitting Comments:* You may submit comments by one of the following methods:

- *U.S. Mail:* Field Supervisor, Fish and Wildlife Service, Carlsbad Fish and Wildlife Office, 2177 Salk Avenue, Suite 250, Carlsbad, CA 92008.

- *Fax:* Field Supervisor, 760-431-9624.

*Obtaining Documents:* To request copies of the application, proposed HCP, and EAS, contact the Service, by telephone at 760-431-9440 or by letter to the Carlsbad Fish and Wildlife Office (see **ADDRESSES**). Copies of the proposed HCP and EAS also are available for public inspection during regular business hours at the Carlsbad Fish and Wildlife Office (see **ADDRESSES**).

**FOR FURTHER INFORMATION CONTACT:** Ms. Karen Goebel, Assistant Field Supervisor, Carlsbad Fish and Wildlife Office (see **ADDRESSES**); telephone: 760-431-9440. 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 application from Monterey Park Retail Partners, LLC (applicant) for a 5-year incidental take permit for one covered species pursuant to section 10(a)(1)(B) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*, Act). The application addresses the potential "take" of the threatened coastal California gnatcatcher (*Polioptila californica californica*; gnatcatcher) in

the course of activities associated with the construction, operation, and maintenance of the Monterey Park Market Place project, in the City of Monterey Park, Los Angeles County, California. A conservation program to avoid, minimize, and mitigate for project activities would be implemented as described in the applicant's proposed habitat conservation plan (HCP).

We are requesting comments on the permit application and on the preliminary determination that the proposed HCP qualifies as a "low-effect" HCP, eligible for a categorical exclusion under the National Environmental Policy Act (NEPA) of 1969, as amended. The basis for this determination is discussed in the environmental action statement (EAS) and associated low-effect screening form, which are also available for public review.

### Background

Section 9 of the Act and its implementing Federal regulations prohibit the "take" of animal species listed as endangered or threatened. Take is defined under the Act 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). "Harm" includes significant habitat modification or degradation that actually kills or injures listed wildlife by significantly impairing essential behavioral patterns such as breeding, feeding, or sheltering (50 CFR 17.3). However, under section 10(a) of the Act, the Service may issue permits to authorize incidental take of listed species. "Incidental take" is defined by the Act 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 at 50 CFR 17.22 and 50 CFR 17.32.

### Applicant's Proposed Project

The applicant requests a 5-year permit under section 10(a)(1)(B) of the Act. If we approve the permit, the applicant anticipates taking gnatcatcher as a result of permanent impacts to 2.77 acres of habitat the species uses for breeding, feeding, and sheltering. The take would be incidental to the applicant's activities associated with the construction of the Monterey Park Market Place project in the City of Monterey Park, California, and includes restoration and in-perpetuity preservation and management of 12 acres of gnatcatcher habitat.

The Monterey Park Market Place project consists of the construction of a 62-acre commercial retail development in the City of Monterey Park. The project will permanently impact 2.77 acres of gnatcatcher-occupied habitat as a result of clearing and grading activities. Up to three gnatcatcher territories have been documented on the project site.

To minimize take of gnatcatcher by the Monterey Park Market Place project and offset impacts to its habitat, the applicant proposes to mitigate for permanent impacts to 2.77 acres of occupied gnatcatcher habitat through the restoration, conservation, and in-perpetuity management of 12 acres of coastal sage scrub suitable for the gnatcatcher by a Service-approved restoration contractor and the Puente Hills Habitat Authority. The applicant's proposed HCP also contains the following proposed measures to minimize the effects of construction activities on the gnatcatcher:

- Grading limits will be delineated with construction fencing and silt fencing to ensure that impact limits do not extend beyond the allowed limits of development.
- A Service-approved biologist will monitor grading of the site and provide a letter summarizing compliance with the construction limits of the proposed project to the Service within one month of completion of grading.
- Vegetation clearing will take place outside of the bird nesting season (February 15 through August 31) to the fullest extent practicable. Clearing may only occur during this period once a Service-approved biologist has conducted at least three surveys of the impact areas for nesting birds, with each survey taking place one week apart and the last survey conducted within 24 hours prior to clearing. The Service-approved biologist will document compliance with the Migratory Bird Treaty Act (MBTA) and other applicable regulations that protect nesting birds. If an active bird nest is observed, an appropriate buffer (minimum of 300 feet for any active gnatcatcher nest) will be established wherein no project activities will occur until the nest is no longer active.

### Proposed Action and Alternatives

The Proposed Action consists of the issuance of an incidental take permit and implementation of the proposed HCP, which includes measures to avoid, minimize, and mitigate impacts to the gnatcatcher. If we approve the permit, take of gnatcatcher would be authorized for the applicant's activities associated with the construction of the Monterey

Park Market Place project. In the proposed HCP, the applicant considers alternatives to the taking of gnatcatcher under the proposed action. Alternative development configuration was considered; however, because of the small size and irregular shape of the project site, further avoidance of impacts to gnatcatcher habitat could not be achieved. The applicant also considered the No Action Alternative. Under the No Action Alternative, no incidental take of gnatcatcher habitat would occur, and no long-term protection and management would be afforded to the species.

### Our Preliminary Determination

The Service has made a preliminary determination that the approval of the HCP and issuance of an incidental take permit qualify for categorical exclusion under NEPA (42 U.S.C. 4321 *et seq.*), as provided by the Department of the Interior implementing regulations in part 46 of title 43 of the Code of Federal Regulations (43 CFR 46.205, 46.210, and 46.215), and that the HCP qualifies as a "low-effect" plan as defined by the *Habitat Conservation Planning Handbook* (December 2016).

We base our determination that an HCP qualifies as a low-effect plan on the following three criteria:

- (1) Implementation of the HCP would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats;
- (2) Implementation of the HCP would result in minor or negligible effects on other environmental values or resources; and
- (3) Impacts of the HCP, considered together with the impacts of other past, present, and reasonably foreseeable similarly situated projects, would not result, over time, in cumulative effects to environmental values or resources that would be considered significant.

Based upon this preliminary determination, we do not intend to prepare further NEPA documentation. We will consider public comments in making the final determination on whether to prepare such additional documentation.

### Next Steps

We will evaluate the proposed HCP and comments we receive to determine whether the permit application meets the requirements and issuance criteria under section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). We will also evaluate whether issuance of a section 10(a)(1)(B) incidental take permit would comply with section 7 of the Act by conducting an intra-Service consultation. We will use the results of this consultation, in

combination with the above findings, in our final analysis to determine whether or not to issue a permit. If the requirements and issuance criteria under section 10(a) are met, we will issue the permit to the applicant for incidental take of gnatcatcher.

**Public Comments**

If you wish to comment on the permit application, proposed HCP, and associated documents, you may submit comments by any of the methods noted in ADDRESSES.

**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 may 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 (16 U.S.C. 1531 *et seq.*) and NEPA regulations (40 CFR 1506.6).

**Karen A. Goebel,**

*Acting Field Supervisor, Carlsbad Fish and Wildlife Office, Carlsbad, California.*

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**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R3-ES-2016-N229;  
FXES11130300000-178-FF03E00000]

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

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications for a permit to conduct activities intended to enhance the survival of endangered or threatened species. Federal law prohibits certain activities with endangered species unless a permit is obtained.

**DATES:** We must receive any written comments on or before January 30, 2017.

**ADDRESSES:** Send written comments by U.S. mail to the Regional Director, Attn: Carlita Payne, 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:** Carlita Payne, (612) 713-5343.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*), prohibits certain activities with endangered and threatened species unless the activities are specifically authorized by a Federal permit. The

ESA and our implementing regulations in part 17 of title 50 of the Code of Federal Regulations (CFR) provide for the issuance of such permits and require that we invite public comment before issuing permits for activities involving endangered species.

A permit granted by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with U.S. endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) of the ESA for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

**Applications Available for Review and Comment**

We invite local, State, Tribal, and Federal agencies and the public to comment on the following applications. Please refer to the permit number when you submit comments. Documents and other information the applicants have submitted with the applications are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

**Permit Applications**

Proposed activities in the following permit requests are for the recovery and enhancement of survival of the species in the wild.

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE38793A .....	Kenneth Mierzwa.	Hine's emerald dragonfly ( <i>Somatochlora hineana</i> ).	Alabama, Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, Wisconsin, Illinois .....	Survey and monitor, habitat assessment.	Capture and release, exuviae collection, adult counts.	Renew.
TE11170C .....	Ashleigh Cable.	Indiana bat ( <i>Myotis sodalis</i> ), gray bat ( <i>M. grisescens</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ).	Illinois .....	Conduct presence/absence surveys, document habitat use, conduct population monitoring, evaluate impacts.	Capture, handle, radio-tag, harp trap, release.	New.
TE01311C .....	Shawn McKinley.	Indiana bat ( <i>Myotis sodalis</i> ), gray bat ( <i>M. grisescens</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), Virginia big-eared bat ( <i>Plecotus townsendii virginianus</i> ).	Rangewide .....	Conduct presence/absence surveys, document habitat use, conduct population monitoring, evaluate impacts.	Capture, handle, mist-net, harp trap, radio-tag, band, release.	New.
TE13571C .....	Jennifer Moore.	Eastern massasauga rattlesnake ( <i>Sistrurus catenatus</i> ).	Michigan .....	Survey and monitoring, habitat assessment, population connectivity assessment.	Capture, handle, pit-tag, tissue collection, release.	New.
TE14588C .....	Dane Smith	Indiana bat ( <i>Myotis sodalis</i> ), gray bat ( <i>M. grisescens</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ).	Missouri .....	Conduct presence/absence surveys, document habitat use, conduct population monitoring, evaluate impacts.	Capture, handle, mist-net, radio-tag, band, tissue collection, release.	New.