

84 percent of remaining spotted owl nesting/roosting habitat. Habitat removal within these nesting and roosting sites could result in loss of habitat suitability leading to take of spotted owls. To avoid or minimize the take resulting from disturbance and habitat loss associated with timber management activities on their lands, the Oregon Department of Forestry will maintain at least a 70-acre habitat core for nesting spotted owls that may reoccupy non-baseline sites during the nesting and rearing season (March 1 to September 30 of the year). This allows the owl pairs to produce young and contribute to the future spotted owl population.

The primary conservation value of the Experiment is the information it provides on the efficacy of removal as a tool to manage barred owl populations for the conservation of the spotted owl at the range-wide scale. In the landscape of multiple landowners that exist within the Oregon Coast Ranges Study Area, access to interspersed non-Federal lands is important to the efficient and effective completion of the Experiment within a reasonable time frame under the Oregon Department of Forestry SHA; thus, researchers will need access to roads and lands for barred owl surveys and removal. Thus, the take of spotted owls on the temporarily reoccupied sites is potentially greatly offset by the value of the information gained from the experiment and its potential contribution to the range-wide recovery of the spotted owl by the timely development of a long-term barred owl management strategy. For this reason, the Service believes this SHA would advance the recovery of the spotted owl.

#### National Environmental Policy Act Compliance

The Service's entering into the proposed SHA and issuance of a Permit is a Federal action that triggers the need for compliance with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*) (NEPA). We have prepared a draft EA to analyze the impacts of this proposed action on the human environment in comparison to the no-action alternative.

#### Public Comments

You may submit your comments and materials by one of the methods listed in the **ADDRESSES** section. We request data, new information, or suggestions from the public, other concerned governmental agencies, Tribes, the scientific community, industry, or any other interested party on our proposed Federal action. In particular, we request

information and comments regarding the following issues:

1. The direct, indirect, and cumulative effects that implementation of the SHA could have on endangered and threatened species;
2. Other reasonable alternatives consistent with the purpose of the proposed SHA as described above, and their associated effects;
3. Measures that would minimize and mitigate potentially adverse effects of the proposed action;
4. Identification of any impacts on the human environment that should have been analyzed in the draft EA pursuant to NEPA;
5. Other plans or projects that might be relevant to this action;
6. The proposed term of the Permit and whether the proposed SHA would provide a net conservation benefit to the spotted owl; and
7. Any other information pertinent to evaluating the effects of the proposed action on the human environment.

#### 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 personally identifiable information in your comments, you should be aware that your entire comment—including your personally identifiable information—may be made publicly available at any time. While you can ask us in your comment to withhold your personally identifiable 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 we used in preparing the draft EA, will be available for public inspection by appointment, during normal business hours, at our Oregon Fish and Wildlife Office (see **ADDRESSES**).

#### Next Steps

We will evaluate the draft SHA, associated documents, and any public comments we receive to determine whether the Permit application and the EA meet the requirements of section 10(a) of the ESA, NEPA, and their respective implementing regulations. We will also evaluate whether issuance of a Permit would comply with section 7(a)(2) of the ESA by conducting an intra-Service section 7 consultation on

the proposed Permit action. If we determine that all requirements are met, we will sign the proposed SHA and issue a Permit under section 10(a)(1)(A) of the ESA to the Oregon Department of Forestry, for take of the northern spotted owl caused by covered activities in accordance with the terms of the Permit and the SHA. We will not make our final decision until after the end of the 30-day public comment period, and we will fully consider all comments and information we receive during the public comment period.

#### Authority

We provide this notice pursuant to section 10(c) of the ESA, its implementing regulations (50 CFR 17.22), and NEPA and its implementing regulations (40 CFR 1506.6).

#### Theresa Rabot,

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

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-ES-2016-N028;  
FXES1113040000EA-123-FF04EF1000]

#### Endangered and Threatened Wildlife and Plants; Availability of Proposed Low-Effect Habitat Conservation Plan, Lake County, FL

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

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

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**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received an application for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (Act). Hartwood Residential, LLC, is requesting a 2-year ITP. We request public comment on the permit application and accompanying proposed habitat conservation plan (HCP), as well as on our preliminary determination that the plan qualifies as low effect under the National Environmental Policy Act (NEPA). To make this determination, we used our environmental action statement and low-effect screening form, which are also available for review.

**DATES:** To ensure consideration, please send your written comments by April 20, 2016.

**ADDRESSES:** If you wish to review the application and HCP, you may request documents by email, U.S. mail, or

phone (see below). These documents are also available for public inspection by appointment during normal business hours at the office below. Send your comments or requests by any one of the following methods.

*Email:* northflorida@fws.gov. Use "Attn: Permit number TE80020B-0" as your message subject line for Hartwood Residential, LLC.

*Fax:* Field Supervisor, (904) 731-3191, Attn: Permit number TE80020B-0.

*U.S. mail:* Field Supervisor, Jacksonville Ecological Services Field Office, Attn: Permit number TE80020B-0, U.S. Fish and 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:** Zakia Williams, telephone: (904) 731-3326; email: [zakia\\_williams@fws.gov](mailto:zakia_williams@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 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 Proposal**

*Hartwood Residential, LLC*

Hartwood Residential, LLC, is requesting take of approximately 2.8 acres of occupied sand skink foraging and sheltering habitat incidental to construction of a residential development, and they seek a 2-year permit. The 115.8-acre project is located on parcel number 09-23-26-0004-000-02400 within Section 9 and 16, Township 23 South, and Range 26 East,

Lake County, Florida. The project includes construction of a residential development. The applicant proposes to mitigate for the take of the sand skink by the purchase of 5.6 mitigation credits from the Morgan Lake Wales Preserve Conservation Bank.

**Our Preliminary Determination**

We have determined that the applicant's proposal, including the proposed mitigation and minimization measures, would have minor or negligible effects on the species covered in their HCP. Therefore, our proposed issuance of the requested ITP qualifies as a categorical exclusion under the National Environmental Policy Act, as provided by 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). 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 HCP and comments we receive to determine whether the ITP application meets the requirements of section 10(a) of the Act (16 U.S.C. 1531 *et seq.*). If we determine that the application meets these requirements, we will issue ITP number TE80020B-0. We will also evaluate whether issuance of the section 10(a)(1)(B) ITP complies with section 7 of the Act 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 or not to issue the ITP. If the requirements are met, we will issue the permit to the applicant.

**Public Comments**

If you wish to comment on the permit application, HCP, 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: March 8, 2016.

**Jay B. Herrington,**

*Field Supervisor, Jacksonville Field Office, Southeast Region.*

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**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

[DT21200000 DST000000.T7AC00.241A]

**Proposed Renewal of Information Collection: OMB Control Number 1035-0004, Trust Funds for Tribes and Individual Indians, 25 CFR Part 115**

**AGENCY:** Office of the Secretary, Office of the Special Trustee for American Indians.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, the Office of Special Trustee for American Indians, Office of the Secretary, Department of the Interior, announces the proposed extension of a public information collection and seeks public comments on the provisions thereof, regarding, "Trust Funds for Tribes and Individual Indians, 25 CFR 115," OMB Control No. 1035-0004.

**DATES:** Consideration will be given to all comments received by *May 20, 2016*.

**ADDRESSES:** Send your written comments to Dianne M. Moran, Field Operations, Office of the Special Trustee for American Indians, 4400 Masthead St. NE., Albuquerque, New Mexico 87109. You may also email your comments to: [Dianne\\_Moran@ost.doi.gov](mailto:Dianne_Moran@ost.doi.gov). Individuals providing comments should reference OMB control number 1035-0004, "Trust Funds for Tribes and Individual Indians, 25 CFR 115."

**FOR FURTHER INFORMATION CONTACT:** To request a copy of the information collection request, any explanatory information and related forms, see the contact information provided in the **ADDRESSES** section above.

**SUPPLEMENTARY INFORMATION:**

**I. Abstract**

This notice is for renewal of information collection.

The Office of Management and Budget (OMB) regulations at 5 CFR part 1320, which implement the Paperwork