DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

FOR FURTHER INFORMATION CONTACT: Christopher Diel, Fish and Wildlife Biologist, at the above address or by calling (805) 644–1766.

SUMMARY: We, the U.S. Fish and Wildlife Service, have received a request from California Flats Solar, LLC (applicant), for an incidental take permit under the Endangered Species Act of 1973, as amended (Act). The applicant has agreed to follow all of the conditions in the habitat conservation plan for the project. The permit would authorize take of the federally endangered San Joaquin kit fox (Vulpes macrotis mutica) and the threatened California red-legged frog (Rana draytonii), California tiger salamander (Ambystoma californiense), and vernal pool fairy shrimp (Branchinecta lynchi), incidental to otherwise lawful activities associated with the California Flats Solar Project Operations and Maintenance Activities Habitat Conservation Plan (HCP). We invite public comment on the application and related documents.

BACKGROUND

The San Joaquin kit fox was listed by the Service as endangered on January 24, 1997. The California red-legged frog, California tiger salamander, and vernal pool fairy shrimp were listed by the Service as threatened on May 23, 1996, August 4, 2004, and September 19, 1994, respectively. Section 9 of the Act (16 U.S.C. 1531 et seq.) and its implementing regulations prohibit the “take” of fish or wildlife species listed as endangered or threatened. “Take” is defined under the Act to include the following activities: “[T]o 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 section 10(a)(1)(B) of the Act, we 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 of an otherwise lawful activity. Regulations governing incidental take permits for threatened and endangered species are, respectively, in the Code of Federal Regulations at 50 CFR 17.32 and 17.22. Under the Act, protections for federally listed plants differ from the protections afforded to federally listed animals. Issuance of an incidental take permit also must not jeopardize the existence of federally listed fish, wildlife, or plant species. All species included in the incidental take permit would receive assurances under our “No Surprises” regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

The applicants have applied for a permit for incidental take of the San Joaquin kit fox, California red-legged frog, California tiger salamander, and vernal pool fairy shrimp. The potential taking would occur by activities associated with the operations and maintenance of the California Flats Solar Project in suitable habitat for the covered species. Incidental take coverage for construction of the California Flats Solar Project was exempted under previous consultation with the U.S. Army Corps of Engineers under section 7 of the Act.

Our Preliminary Determination

The Service has made a preliminary determination that issuance of the permit is neither a major Federal action that will significantly affect the quality of the human environment within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4321 et seq.; NEPA), nor will it individually or cumulatively have more than a negligible effect on the species covered in the HCP. Therefore, the permit qualifies for a categorical exclusion under NEPA as provided by the Department of Interior Manual (516 DM 2, Appendix 1 and 516 DM 8.5).
FOR FURTHER INFORMATION CONTACT: Ms. Kelsey Brantley, Operations and ISAC Coordinator, National Invasive Species Council Secretariat, 1849 C Street, MS 3530, NW., Washington, DC 20240; telephone (202) 208–4122; fax (202) 208–4118; email kelsey_brantley@ios.doi.gov.

SUPPLEMENTARY INFORMATION: The ISAC is established by the Secretary of the Interior, as authorized by Executive Order 13751, and is regulated by the Federal Advisory Committee Act (5 U.S.C. Appendix 2). The purpose of the ISAC is to provide advice to the NISC on a broad array of issues related to preventing the introduction of invasive species and providing for their control and minimizing the economic, ecological, and human health impacts that invasive species cause. The NISC is co-chaired by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce. The NISC provides national leadership regarding invasive species issues.

The purpose of a meeting is to convene the full ISAC to discuss and consider adoption of white papers generated by ISAC task teams on: (1) Federal-State Coordination, and (2) Federal-Tribal Coordination. The meeting is open to the public. Members of the public are welcome to participate by accessing the teleconference line. Up to 15 minutes will be set aside for public comment. Persons wishing to make a comment are asked to provide a written request with a description of the general subject to Ms. Brantley at the above address no later than March 24, 2017. Any member of the public may submit written information and/or comments to Ms. Brantley for distribution at the ISAC meeting.

Public Disclosure 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 can ask us in your comment to withhold your personal identifying information from public view, we cannot guarantee that we will be able to do so.

Dated: March 14, 2017.

Jamie K. Reaser,
Executive Director, National Invasive Species Council Secretariat.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1029]

Certain Mobile Electronic Devices; Commission Determination Not to Review an Initial Determination Terminating the Investigation Based Upon a Settlement Agreement and Withdrawal of the Complaint; Termination of the Investigation


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (‘‘ID’’) (Order No. 8) of the presiding administrative law judge (‘‘ALJ’’), granting a motion to terminate the above-captioned investigation in its entirety based upon a settlement agreement between complainant Qualcomm Incorporated (‘‘Qualcomm’’) of San Diego, California and respondents Zhuhai Meizu Technology Co., Ltd. and Zhubhi Meizu Telecom Equipment Co., Ltd. (collectively ‘‘Meizu’’), both of Zhuhai, Guangdong, China; and withdrawal of the complaint as to the remaining respondents.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2392. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server at https://www.usitc.gov. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at https://edis.usitc.gov. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on November 18, 2016, based on a complaint filed on behalf of Qualcomm. 81 FR 81807 (Nov. 18, 2016). The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, by reason of infringement of certain claims of the