

impacts, and to disclose any irreversible commitments of resources.

#### Proposed Action Alternative

Under the Proposed Action Alternative, the Service would issue an ITP to the applicant for a period of 15 years for certain covered activities (described below). The applicant has requested an ITP for one covered species (described below), which is listed as threatened under the ESA.

#### Habitat Conservation Plan Area

The geographic scope of the draft HCP encompasses 2.98 acres, which encompasses both the 0.98-acre permanent impact and 2.00 acres of temporary impact areas. The project would result in the demolition of the existing water reservoir and replacing it with two new 120,000-gallon steel-bolted reservoirs located at 263 El Toyonal, in the City of Orinda, Contra Costa County, California.

#### Covered Activities

The proposed ESA section 10 ITP would allow take of one covered species from covered activities in the proposed HCP area. The applicant is requesting incidental take authorization for covered activities, including site preparation, construction, and access road maintenance in the project area. The applicant is proposing to implement a number of project design features, including best management practices, as well as general and species-specific avoidance and minimization measures to minimize the impacts of the take from the covered activities.

#### Covered Species

The Alameda whipsnake (*Masticophis lateralis euryxanthus*), a species federally listed as threatened, is proposed to be included as a covered species in the proposed HCP:

#### No-Action Alternative

Under the No-Action Alternative, the Service would not issue an ITP to the applicant, and the reservoir would not be constructed. The No-Action Alternative is not feasible, based on the purpose and need of the project. The existing reservoir is at the end of its useful life, due to deterioration of the structural materials. The metal on the existing reservoir is corroding, the roof is deteriorating, and the entire aging structure will eventually be unable to maintain an adequate water supply and serve its intended function. EBMUD must replace this critical water distribution facility and improve the level of service in the pressure zones by raising the elevation of the proposed

new dual Dos Osos Reservoirs. In addition, the project is necessary to increase operational flexibility by replacing the existing single reservoir with new dual Dos Osos Reservoirs. For these reasons, the No-Action Alternative has been rejected.

#### Public Comments

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 this notice, the draft CatEx, and the draft HCP. We particularly seek comments on the following:

1. Biological information concerning the species;
2. Relevant data concerning the species;
3. Additional information concerning the range, distribution, population size, and population trends of the species;
4. Current or planned activities in the area and their possible impacts on the species;
5. The presence of archeological sites, buildings and structures, historic events, sacred and traditional areas, and other historic preservation concerns, which are required to be considered in project planning by the National Historic Preservation Act; and
6. Any other environmental issues that should be considered with regard to the proposed development and permit action.

#### Public Availability of Comments

Before including your address, phone number, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—might 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.

#### Next Steps

Issuance of an incidental take permit is a Federal proposed action subject to compliance with NEPA and section 7 of the ESA. We will evaluate the application, associated documents, and any public comments we receive as part of our NEPA compliance process to determine whether the application meets the requirements of section 10(a) of the ESA. If we determine that those requirements are met, we will conduct an intra-Service consultation under section 7 of the ESA for the Federal action for the potential issuance of an ITP. If the intra-Service consultation

confirms that issuance of the ITP will not jeopardize the continued existence of any endangered or threatened species, or destroy or adversely modify critical habitat, we will issue a permit to the applicant for the incidental take of the covered species.

#### Authority

We publish this notice under the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321–4347 *et seq.*), and its implementing regulations at 40 CFR 1500–1508, as well as in compliance with section 10(c) of the Endangered Species Act (16 U.S.C. 1531–1544 *et seq.*) and its implementing regulations at 40 CFR 17.22.

#### Jennifer Norris,

Field Supervisor, Sacramento Fish and Wildlife Office, U.S. Fish and Wildlife Service, Sacramento, California.

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BILLING CODE 4333–15–P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS–R8–ES–2020–N075;  
FXES11130800000–201–FF08E00000]

#### Endangered and Threatened Species; Receipt of Recovery Permit Applications

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

**DATES:** We must receive your written comments on or before June 8, 2020.

**ADDRESSES:** *Document availability and comment submission:* Submit requests for copies of the applications and related documents and submit any comments by email to [permitsr8es@fws.gov](mailto:permitsr8es@fws.gov). All requests and comments should specify the applicant name(s) and application number(s) (e.g., TExXXXXX).

**FOR FURTHER INFORMATION CONTACT:** Robert Krijgsman, via phone at 760–431–9440, via email at [permitsr8es@fws.gov](mailto:permitsr8es@fws.gov), or via the Federal Relay Service at 1–800–877–8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, invite the public to comment on applications for permits under section 10(a)(1)(A) of the Endangered Species Act, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The requested permits would allow the applicants to conduct activities intended to promote recovery of species that are listed as endangered or threatened under the ESA.

**Background**

With some exceptions, the ESA prohibits activities that constitute take of listed species unless a Federal permit

is issued that allows such activity. The ESA’s definition of “take” includes such activities as pursuing, harassing, trapping, capturing, or collecting in addition to hunting, shooting, harming, wounding, or killing.

A recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations 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.

**Permit Applications Available for Review and Comment**

Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA requires that we invite public comment before issuing these permits. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to these applications. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
TE–76006B ...	Zoological Society of San Diego, San Diego, California.	• Mountain yellow-legged frog ( <i>Rana muscosa</i> ).	CA .....	Conduct interspecific competition re- search with native freshwater taxa.	Amend.
TE–75190D ...	Rory Telemeco, Fresno, California ...	• Blunt-nosed leopard lizard ( <i>Gambelia silus</i> ).	CA .....	Perform population, life history, nest- ing, and development research by collecting eggs, captive rear, and releasing into the wild; capture, handle, mark, collect tissue, per- form ultrasound, collect morpho- logical data, radio track, and place data loggers near nests.	New.
TE–007907 ....	U.S. Geological Survey, Klamath Falls, Oregon.	• Lost River sucker ( <i>Deltistes luxatus</i> ).	OR, NV	Capture, handle, mark, insert passive integrated transponder (PIT) tags, collect specimens, collect gametes, translocate, use data loggers in habitat, and electrofish.	Renew and amend.
TE–53825B ...	Zoological Society of San Diego, San Diego, California.	• Shortnose sucker ( <i>Chasmistes brevirostris</i> ).	CA .....	Capture, band, release, install cam- eras, monitor nests.	Amend.
TE–067064 ....	Lindsay Messett, Long Beach, Cali- fornia.	• White River spinedace ( <i>Lepidomeda albivallis</i> ).	CA .....	Pursue and play taped vocalizations	Renew and amend.
TE–163671 ....	Ryan O’Dell, Marina, California .....	• California least tern ( <i>Sterna antillarum browni</i> ).	CA .....	Collect seed, whole plants, and plant parts.	Renew and amend.
TE–66265D ...	Donna Noce, Bakersfield, California	• Quino checkerspot butterfly ( <i>Euphydryas editha quino</i> ).	CA .....	Survey, capture, handle, release, and collect vouchers.	New.
		• Southwestern willow flycatcher ( <i>Empidonax traillii extimus</i> ).			
		• California jewelflower ( <i>Caulanthus californicus</i> ).			
		• San Joaquin wooly-threads ( <i>Monolopia (=Lembertia) congdonii</i> ).			
		• Conservancy fairy shrimp ( <i>Branchinecta conservatio</i> ).			
		• Longhorn fairy shrimp ( <i>Branchinecta longiantenna</i> ).			
		• San Diego fairy shrimp ( <i>Branchinecta sandiegonensis</i> ).			
		• Riverside fairy shrimp ( <i>Streptocephalus woottoni</i> ).			
		• Vernal pool tadpole shrimp ( <i>Lepidurus packardii</i> ).			
		• Morro Bay kangaroo rat ( <i>Dipodomys heermanni morroensis</i> ).			
		• Giant kangaroo rat ( <i>Dipodomys ingens</i> ).			
		• Tipton kangaroo rat ( <i>Dipodomys nitratoides nitratoides</i> ).			
		• Fresno kangaroo rat ( <i>Dipodomys nitratoides exilis</i> ).			

**Public Availability of Comments**

Written comments we receive become part of the administrative record associated with this action. 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 request in your comment that we 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.

**Next Steps**

If we decide to issue permits to any of the applicants listed in this notice, we will publish a notice in the **Federal Register**.

**Authority**

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

**Angela Picco,**

*Acting Chief of Ecological Services, Pacific Southwest Region, Sacramento, California.*

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**BILLING CODE 4333-15-P**

**DEPARTMENT OF THE INTERIOR**

**Fish and Wildlife Service**

[FWS-R3-ES-2020-N076;  
FXES11130300000-201-FF03E00000]

**Endangered and Threatened Species; Receipt of Recovery Permit Applications**

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, have received applications for permits to conduct activities intended to enhance the propagation or survival of endangered or threatened species under the Endangered Species Act. We invite the public and local, State, Tribal, and Federal agencies to comment on these applications. Before issuing any of the requested permits, we will take into consideration any information that we receive during the public comment period.

**DATES:** We must receive your written comments on or before June 8, 2020.

**ADDRESSES: Document availability and comment submission:** Submit requests for copies of the applications and related documents, as well as any comments, by one of the following methods. All requests and comments should specify the applicant name(s) and application number(s) (*e.g.*, TXXXXXXX; see table in

**SUPPLEMENTARY INFORMATION):**

- *Email:* [permitsR3ES@fws.gov](mailto:permitsR3ES@fws.gov).

Please refer to the respective application number (*e.g.*, Application No.

TXXXXXXX) in the subject line of your email message.

- *U.S. Mail:* Regional Director, Attn: Nathan Rathbun, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458.

**FOR FURTHER INFORMATION CONTACT:**

Nathan Rathbun, 612-713-5343

(phone); [permitsR3ES@fws.gov](mailto:permitsR3ES@fws.gov) (email). Individuals who are hearing or speech impaired may call the Federal Relay Service at 1-800-877-8339 for TTY assistance.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), prohibits certain activities with endangered and threatened species unless 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 recovery permit issued by us under section 10(a)(1)(A) of the ESA authorizes the permittee to conduct activities with endangered species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. Our regulations implementing section 10(a)(1)(A) 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.

**Permit Applications Available for Review and Comment**

We invite local, State, and Federal agencies; Tribes; and the public to comment on the following applications:

Application No.	Applicant	Species	Location	Activity	Type of take	Permit action
TE71730A .....	MO Department of Conservation, Warsaw, MO.	Topeka Shiner ( <i>Notropis topeka</i> ).	MO .....	Conduct captive breeding, rearing, and reintroduction.	Capture, handle, long-term hold, captive rear, release.	Renew.
TE75401D .....	U.S. Geological Survey, Upper Midwest Environmental Sciences Center, La Crosse, WI.	Higgins eye (pearlymussel) ( <i>Lampsilis higginsii</i> ), sheepnose mussel ( <i>Plethobasus cyphus</i> ), snuffbox mussel ( <i>Epioblasma triquetra</i> ), spectaclecase (mussel) ( <i>Cumberlandia monodonta</i> ), winged mapleleaf ( <i>Quadrula fragosa</i> ).	MN, WI .....	Conduct presence/absence surveys, document habitat use, conduct population monitoring, evaluate impacts, conduct captive propagation and health assessment research.	Collect, mark, temporary hold, collect hemolymph samples, release.	New.
TE75495D .....	Tip of the Mitt Watershed Council, Petoskey, MI.	Hungerford's crawling water beetle ( <i>Brychius hungerfordi</i> ).	MI .....	Conduct presence/absence surveys, document habitat use, conduct population monitoring, evaluate impacts.	Capture, handle, temporary hold, release, relocate.	New.
TE120259 .....	Missouri Department of Conservation, Resource Science, Chillicothe, MO.	Pallid sturgeon ( <i>Scaphirhynchus albus</i> ).	KS, MO .....	Conduct presence/absence surveys; document habitat use; conduct population monitoring; evaluate impacts; conduct captive propagation, population assessment, and genetic research.	Add new activities—implant radio transmitter; collect tissue, fecal, and blood samples; collect eggs; kill—to existing authorized activities: Capture, handle, tag, collect fin samples, transport, hold, release.	Amend.