## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS–R2–ES–2020–0065; FXES111602C0000–201–FF02E9H000]

**Environmental Assessment for a Candidate Conservation Agreement With Assurances for the Dunes Sagebrush Lizard (Sceloporus arenicola); Andrews, Gaines, Crane, Ector, Ward, and Winkler Counties, Texas**

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, intend to prepare an environmental assessment (EA) on a proposed candidate conservation agreement with assurances (CCAA) that will support an application for an enhancement of survival permit under the Endangered Species Act. The potential permit would cover the dunes sagebrush lizard (Sceloporus arenicola) in six Texas counties. The CCAA would cover oil and gas exploration and development, sand mining, renewable energy development and operations, pipeline construction and operations, agricultural activities, general construction activities, and the conservation, research, and monitoring activities that are integral to meeting the CCAA net conservation benefit standard. The intended effect of this notice is to gather information from the public to develop and analyze the effects of the potential issuance of the permit, which would facilitate economic activities in the planning area, while providing a net conservation benefit to the dunes sagebrush lizard. We provide this notice to describe the proposed action, advise other Federal and State agencies, potentially affected tribal interests, and the public of our intent to prepare an EA, announce the initiation of a 30-day public scoping period, and obtain suggestions and information on the scope of issues and possible alternatives to be included in the EA.

**DATES:** To ensure consideration, written comments must be received or postmarked on or before 11:59 p.m. eastern time on August 17, 2020. We may not consider any comments we receive after the closing date in the final decision on this action.

**ADDRESSES:**

**Obtaining Documents for Review:** You may obtain copies of the CCAA in the following formats:

- **Internet:**
  - [http://www.fws.gov/southwest/es/AustinTexas](http://www.fws.gov/southwest/es/AustinTexas)

**Hard copy or CD-ROM:**

- **Contact Field Supervisor by phone or U.S. mail (see FOR FURTHER INFORMATION CONTACT):** reference the notice title and docket number FWS–R2–ES–2020–0065.

**FOR FURTHER INFORMATION CONTACT:** Mr. Adam Zerrenner, Field Supervisor, by mail at U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758; via phone at 512–490–0057, ext. 248; or via the Federal Relay Service at 800–877–8339.

**SUPPLEMENTAL INFORMATION:**

### Background

Section 9 of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 et seq.) and its implementing regulations prohibit the “take” of animal species listed as endangered or threatened. Take is defined under the ESA 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). However, under section 10(a) of the ESA, we may issue permits to authorize incidental take of listed species. “Incidental take” is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing such take of endangered and threatened, or candidate species, respectively, are found in title 50 of the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.
Permit Application

The U.S. Fish and Wildlife Service (Service) received an application for an enhancement of survival (EOS) permit under section 10(a)(1)(A) of the ESA, supported by the proposed CCAA. The potential EOS permit, which would be in effect for a period of approximately 22 years, would authorize incidental take of the dunes sagebrush lizard (*Sceloporus arenicolus*), a species that has been petitioned for listing under the ESA. The dunes sagebrush lizard is the only covered species in this potential EOS permit. The proposed incidental take would result from:

- Activities associated with otherwise lawful activities, including oil and gas exploration and development, sand mining, renewable energy development and operations, pipeline construction and operations, agricultural activities, general construction activities, and conservation, research, and monitoring activities;
- Habitat loss and fragmentation from construction, operation, and maintenance of roads, oil pads, sand mines, transmission lines, and pipelines;
- Crushing by vehicles and heavy equipment during road use and mining;
- Water withdrawal for sand processing that may impact dune stabilizing vegetation, and
- Disruption of normal lizard behaviors—breeding, feeding, and shelter—during conservation actions.

Alternatives

**Proposed Action**

The proposed action involves the issuance of an EOS permit by the Service for the covered activities in the permit area, under section 10(a)(1)(A) of the ESA. The EOS would cover "take" of the covered species associated with oil and gas exploration and development, sand mining, renewable energy development and operations, pipeline construction and operations, agricultural activities, and general construction activities within the permit area. The CCAA associated with this potential EOS permit describes the conservation measures the applicant has agreed to undertake to minimize and mitigate for the impacts of the proposed taking of covered species to meet the net conservation benefit standard of the CCAA policy. The terms of the CCAA and EOS permit will also ensure that these activities will not appreciably reduce the likelihood of the survival and recovery of the species in the wild.

**No Action Alternative**

As part of the process of developing an environmental assessment (EA), we will consider at least one alternative to the proposed action: No Action. Under a No Action alternative, the Service would not issue the potential EOS permit and the applicant would not be authorized for incidental taking of the covered species, should the dunes sagebrush lizard be listed as threatened or endangered. Therefore, the applicant would not be required to implement the conservation measures described in the CCAA.

**Public Comments**

We are requesting information from other interested government agencies, Native American Tribes, the scientific community, industry, or other interested parties concerning the following areas of analysis in the draft EA:

- Vegetation,
- Wildlife and aquatic resources,
- Special status species,
- Surface waters and floodplains,
- Hydrology and groundwater,
- Wetlands and waters of the United States,
- Archeology,
- Architectural history,
- Sites of religious and cultural significance to Tribes,
- Noise and vibration,
- Visual resources and aesthetics,
- Economics and socioeconomic,
- Environmental justice,
- Air quality (including greenhouse gas emissions and climate change),
- Geology and soil,
- Land use,
- Transportation,
- Infrastructure and utilities,
- Hazardous materials and solid waste management, and
- Human health and safety.

In addition to the topics above, we are seeking comments on additional alternatives to potentially consider when drafting the EA.

Please note that submissions merely stating support for, or opposition to, the action under consideration without providing supporting information, although noted, will not provide information useful in determining the issues and the impacts to the human environment in the draft EA. The public will also have a chance to review and comment on the draft EA when it is available.

You may submit your comments and materials by one of the methods described above under ADDRESSES.

**Next Steps**

We will develop an EA concerning the impacts of EOS permit issuance on the human environment based on our evaluation of the CCAA and the information and comments we receive in response to this notice. We will announce the availability of a draft EA, CCAA, and EOS permit application for public review and comment. The comments on the draft EA will assist in our determination as to the lack or presence of significant impacts on the human environment.

At that time, if we can sign a finding of no significant impact (FONSI), we would then evaluate the application, including the CCAA, as to its ability to meet the requirements of section 10(a) of the ESA. We will also evaluate whether issuance of a section 10(a)(1)(A) permit would comply with section 7 of the ESA 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 to issue an EOS permit.

If all necessary requirements are met, we will issue the EOS permit to the applicant. If we cannot sign a FONSI, we will take all comments from this scoping period and the comment period on the draft EA to develop a draft environmental impact statement (EIS), which would be noticed for review and comment before we would finalize the EIS and sign a record of decision.

**Public Availability of Comments**

Written comments 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 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. We will not consider anonymous comments. 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.

**Authority**

We provide this notice under section 10(c) of the ESA and its implementing regulations (50 CFR 17.22 and 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 et seq.) and its
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National Park Service

[45x303]The National Park Service is soliciting electronic comments on the significance of properties nominated before July 27, 2020, for listing or related actions in the National Register of Historic Places.

DATES: Comments should be submitted electronically by July 31, 2020.

ADDRESSES: Comments are encouraged to be submitted electronically to National_Register_Submissions@nps.gov with the subject line “Public Comment on property or proposed district name, (County) State.” If you have no access to email you may send them via U.S. Postal Service and all other carriers to the National Register of Historic Places, National Park Service, 1849 C Street NW, MS 7228, Washington, DC 20240.

SUPPLEMENTARY INFORMATION: The properties listed in this notice are being considered for listing or related actions in the National Register of Historic Places. Nominations for their consideration were received by the National Park Service before June 27, 2020. Pursuant to §60.13 of 36 CFR part 60, comments are being accepted concerning the significance of the nominated properties under the National Register criteria for evaluation.

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 review, we cannot guarantee that we will be able to do so.

Nominations submitted by State or Tribal Historic Preservation Officers:

CONNECTICUT

Middlesex County
High Street Historic District, 7 Central Ave., 19–114 High St., and 1–62 John St., Clinton, SG10005404

GEORGIA

Fulton County
Whitehall Street Retail Historic District, Centered on Peachtree St. and Martin Luther King Jr. Dr. including Forsyth, Broad, Peachtree, and Mitchell Sts., Atlanta, SG10005409

MONTANA

Blaine County
St. Paul’s Mission Church, 1 Mission Dr., Hays vicinity, SG10005403

WEST VIRGINIA

Kanawha County
St. Albans Railroad Industry Historic District, 4th and 5th Aves., 2nd-6th Sts., St. Albans, SG10005412

A request for removal has been made for the following resources:

IOWA

Crawford County
East Soldier River Bridge (Highway Bridges of Iowa MPS), 120th St. over East Soldier R., Charter Oak vicinity, OT98000798 Beaver Creek Bridge (Highway Bridges of Iowa MPS), 180th St. between B and C Aves. over Beaver Cr., Slleshwig vicinity, OT98000799

Henry County
Smith and Weller Building, 100 East Main St., New London, OT03000030

Additional documentation has been received for the following resource:

WEST VIRGINIA

Greenbrier County
Mountain Home (Additional Documentation), SW of White Sulphur Springs on U.S. 60, White Sulphur Springs vicinity, AD80004020

Authority: Section 60.13 of 36 CFR part 60.


Sherry A. Frear,
Chief, National Register of Historic Places/National Historic Landmarks Program.

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled Certain Vaporizer Cartridges and Components Thereof, DN 3471; the Commission is soliciting comments on any public interest issues raised by the complaint or complainant’s filing pursuant to the Commission’s Rules of Practice and Procedure.


General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at https://www.usitc.gov. The public record for this investigation may be viewed on the Commission’s Electronic Document Information System (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.

SUPPLEMENTAL INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission’s Rules of Practice and Procedure filed on behalf of Juul Labs, Inc. on July 10, 2020. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaporizer cartridges and components thereof. The complaint names as respondents: 101 Smoke Shop, Inc. of Los Angeles, CA; 2nd Wife Vape of Haslet, TX; Access Vapor LLC of Orlando, FL; All Puff Store of Middleburg Heights, OH; Alternative Pods of Palatine, IL; Ana Equity LLC of Orlando, FL; Aqua Haze LLC of Farmers Branch, TX; Cali Pods of Houston, TX; Canal Smoke Express, Inc. of New York, NY; CaryTown Tobacco of Richmond, VA; Cigar Road, Inc. of Woodland Hills, CA; Cloud 99 Vapes of New York, NY; DripTip Vapes LLC of Plantation, FL; Shenzhen Azure Tech USA LLC f/k/a DS Vaping P.R.C. of China; eCig-City of Riverside, CA; Ejuicedb, of Farmingdale, NY; eLiquid Stop of Glendale, CA; Eon Pops LLC of Jersey City, NJ; Evergreen Smokeshop of Oakland, CA; EZFumes of Bedford, TX;