

threats to this species. Conservation banks, like the Colton Dunes Conservation Bank, are this species' best chance at recovery.

To minimize take of Delhi Sands flower-loving fly at the City of Rialto's street widening project, the applicant proposes to mitigate for the permanent and temporary take of 0.74 ac (0.30 ha) of habitat by preserving 1 ac (0.40 ha) of habitat occupied by Delhi Sands flower-loving fly. The applicant's proposed HCP also contains the following proposed measures to minimize the impact to the habitat adjacent to the street improvements:

- Fence work areas to keep workers off of habitat.
- Post signs to educate the public about the Delhi Sands flower-loving fly along the work area.
- Require environmental awareness training for all workers.
- Confine construction activities to existing roads or other paved areas.
- Require that all construction activities be completed during the time period October through June only (i.e., outside of the Delhi Sands flower-loving fly flight season).

#### **Proposed Habitat Conservation Plan Alternatives**

In the proposed HCP, the applicant considers alternatives to the taking of Delhi Sands flower-loving fly under the proposed action. Our proposed action is to issue an incidental take permit to the applicant, who would implement the HCP. If we approve the permit, take of Delhi Sands flower-loving fly would be authorized for the applicant's routine construction activities associated with the widening of San Bernardino Avenue, Riverside Avenue, and Willow Avenue, in the City of Rialto. The applicant's proposed HCP does identify a no-build alternative that would not result in incidental take of Delhi Sands flower-loving fly, but it is infeasible for the City of Rialto to accept this alternative as it would result in roadway congestion and insufficient storm drain capacity due to future planned development.

#### **Our Preliminary Determination**

We invite comments on our preliminary determination that our proposed action, based on the applicant's proposed activities, including the proposed minimization and mitigation measures, would have a minor or negligible effect on Delhi Sands flower-loving fly, and that the HCP qualifies as "low effect" as defined by our *Habitat Conservation Planning Handbook* (November 1996).

We base our determination that a 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.

As more fully explained in our environmental action statement and associated low-effect screening form, the applicant's proposed HCP qualifies as a low-effect HCP for the following reasons:

- The project is small in size and does not jeopardize the continued existence of the Delhi Sands flower-loving fly.
- The applicant will mitigate impacts to the Delhi Sands flower-loving fly by purchasing 1 ac of occupied Delhi Sands flower-loving fly habitat within the Colton Dunes Conservation Bank prior to ground disturbance.
- This project provides a net gain in preserved occupied habitat.

Therefore, our proposed issuance of the requested incidental take permit qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1, 516 DM 6 Appendix 1, and 516 DM 8.5(C)(2)). Based on our review of public comments we receive in response to this notice, we may revise this preliminary determination.

#### **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 Delhi Sands flower-loving fly.

#### **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 the **ADDRESSES** section.

#### **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).

**Scott A. Sobiech,**

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

[FR Doc. 2014-07665 Filed 4-4-14; 8:45 am]

**BILLING CODE 4510-55-P**

#### **DEPARTMENT OF THE INTERIOR**

##### **Fish and Wildlife Service**

**FWS-R6-ES-2014-N059; FF06E24000-145-FXES11150600000]**

#### **Endangered and Threatened Wildlife and Plants; Incidental Take Permit Application; Proposed Low-Effect Habitat Conservation Plan for the Preble's Meadow Jumping Mouse at the Kettle Creek Ranch in El Paso County, Colorado**

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), received a permit application from Vintage Companies and are announcing the availability of a draft low-effect Habitat Conservation Plan (HCP) for review and comment by the public and Federal, Tribal, State, and local governments. The proposed permit would authorize the incidental take of the federally threatened Preble's meadow jumping mouse from Vintage Companies' proposed Kettle Creek Ranch residential development in El Paso County, Colorado. We request comments on the permit application, including the draft low-effect HCP.

**DATES:** Written comments must be submitted by May 7, 2014.

**ADDRESSES:** Send written comments by U.S. mail to Susan Linner, Field Supervisor, Colorado Ecological Services Field Office, U.S. Fish and Wildlife Service, P.O. Box 25486 (DFC MS 65412), Denver, Colorado 80225-0486, or via email to [coloradoES@fws.gov](mailto:coloradoES@fws.gov). You also may send comments by facsimile to 303-236-4005. For how to access the documents, see Availability of Documents in the **SUPPLEMENTARY INFORMATION** section.

**FOR FURTHER INFORMATION CONTACT:** Craig Hansen, U.S. Fish and Wildlife Service, Colorado Ecological Services Field Office, telephone: 303-236-4749 (see **ADDRESSES**). If you use a telecommunications device for the deaf (TDD), please call the Federal Information Relay Service (FIRS) at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** This notice advises the public that Vintage Companies has applied to the U.S. Fish and Wildlife Service (Service) for an incidental take permit pursuant to section 10(a)(1)(B) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1538). The proposed permit would authorize the incidental take of the federally threatened Preble's meadow jumping mouse, or PMJM (*Zapus hudsonius preblei*), from Vintage Companies' proposed Kettle Creek Ranch residential development in El Paso County, Colorado. The proposed incidental take permit would expire 20 years after the issuance date.

#### Availability of Documents

The draft low-effect HCP is available for download from our Web site at <http://www.fws.gov/coloradoES/KettleCreekHCP.html>. You also may review a copy of this document during regular business hours at the Colorado Ecological Services Field Office (see **ADDRESSES**). If you do not have access to the Web site or cannot visit our office, you may request copies by telephone at 303-236-4773, by letter to the Colorado Field Office, or by email to [coloradoES@fws.gov](mailto:coloradoES@fws.gov).

#### Background

Section 9 of the Act and its implementing regulations prohibit take of species listed as endangered or threatened. The definition of take under the Act includes to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed species or to attempt to engage in such conduct" (16 U.S.C. 1532(19)). Section 10 of the Act (16 U.S.C. 1539) establishes a program whereby persons seeking to pursue

activities that are otherwise legal, but could result in take of federally protected species, may receive an incidental take permit (ITP). Applicants for ITPs must submit a HCP that meets the section 10 permit issuance criteria. "Low-effect" incidental take permits are those permits that, despite their authorization of some small level of incidental take, individually and cumulatively have a minor or negligible effect on the species covered in the HCP.

Vintage Companies' permit application includes a draft low-effect Habitat Conservation Plan (HCP) for the PMJM at the Kettle Creek Ranch residential development. The low-effect HCP describes the proposed project and the measures Vintage Companies would undertake to minimize and mitigate impacts to the PMJM.

We intend to process this application under a categorical exclusion from the National Environmental Policy Act (NEPA) of 1969 in accordance with our Habitat Conservation Planning Handbook (November 1996). We request comments on Vintage Companies' permit application and the draft low-effect HCP.

#### Proposed Action

Vintage Companies proposes to develop approximately 38 acres of previously undeveloped land at the Kettle Creek Ranch into a residential development with single-family and multi-dwelling homes. The Kettle Creek Ranch is located at the northwest corner of Old Ranch Road and Chapel Ridge Drive to the north of the City of Colorado Springs, in El Paso County, Colorado (Section 21, Township 12 South, Range 66 West; Latitude: 38.985707°; Longitude: -104.775375°). Vintage Companies will construct the residential lots next to Kettle Creek and its tributaries, where trapping surveys verified that the PMJM occurs.

Construction, loss of habitats, and increased human presence within the Kettle Creek Ranch project area could take PMJM. Developing the Kettle Creek Ranch into residential lots would permanently remove 0.262 acre (0.106 hectare) of PMJM habitats along the southern tributary of Kettle Creek. Other development activities would temporarily affect 0.118 acre (0.048 hectare) of PMJM habitat along Kettle Creek. Additionally, by increasing erosion, sedimentation, or introducing noxious weeds, the development may affect the composition, structure, or density of riparian vegetation along Kettle Creek and its tributaries, reducing habitat quality and the PMJM's ability to feed, breed, or shelter. Following

construction, pets, such as house cats, could kill PMJM and increased pedestrian traffic along Kettle Creek and its tributaries could disturb PMJM.

Vintage Companies' draft low-effect HCP outlines conservation measures, best management practices, habitat enhancement goals, and monitoring requirements in order to avoid, minimize, and mitigate potential impacts to the PMJM from the Kettle Creek Ranch development. To mitigate the 0.262 acres (0.106 hectares) of permanent habitat loss, Vintage Companies will enhance 1.601 acres (0.648 hectare) of PMJM habitat along Kettle Creek and its tributaries. Additionally, Vintage Companies will improve PMJM habitats and stream flow by planting native grasses, shrubs, and trees, managing noxious weeds, and removing faulty culverts. Vintage Companies will adaptively manage and monitor the success of the mitigation efforts and will provide annual reports to the Service until the success criteria are achieved. By improving the quality and connectivity of habitats at Kettle Creek and its tributaries, successful implementation of the low-effect HCP may benefit the PMJM.

#### Our Preliminary Determination

The Service has made a preliminary determination that approval of the proposed HCP qualifies as a categorical exclusion under NEPA, as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1) and as a "low-effect" habitat conservation plan as defined by our *Habitat Conservation Planning Handbook* (November 1996).

We base our determination on the following information:

(1) The size and scope of the incidental take of PMJM from the proposed project is relatively small and limited to a maximum of 0.262 acres (0.106 hectares; 11,413 square feet) of permanent habitat loss and 0.118 acre (0.048 hectare; 5,140 square feet) of temporary habitat loss, or take of one PMJM over 20 years.

(2) The total amount of take resulting from impacts to 0.380 acre (0.154 hectare; 16,553 square feet) equates to less than 0.01 percent of the PMJM's overall occupied range in Colorado.

We base our determination that a HCP qualifies 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.

We conclude that implementation of the plan would result in overall minor or negligible effects on the PMJM and its habitats. We may revise this preliminary determination based on public comments submitted in response to this notice. We will evaluate the permit application, the draft low-effect HCP, and comments submitted herein to determine whether the application meets the requirements of section 10(a) of the Act. If the application satisfies the requirements, we will issue a permit for the incidental take of the PMJM from the development of the Kettle Creek Ranch. We will make the final permit decision after considering the public comments.

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.

#### Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information with 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.

#### 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).

Dated: April 1, 2014.

**Susan Linner,**

*Field Supervisor, Colorado Ecological Services Field Office.*

[FR Doc. 2014-07670 Filed 4-4-14; 8:45 am]

**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

**[NPS-WASO-14710; PXXVPAD0517.00.1]**

#### Change of Jurisdiction—National Park Service Units within the State of South Carolina

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of Concurrent Jurisdiction.

**SUMMARY:** On behalf of the United States, the National Park Service accepted exclusive jurisdiction from the State of South Carolina, and retroceded and relinquished to the State of South Carolina, the measure of legislative jurisdiction necessary to establish concurrent jurisdiction between the United States and the State of South Carolina on certain lands administered by the National Park Service within the State of South Carolina.

**DATES:** *Effective Date:* Concurrent legislative jurisdiction on these lands and waters became effective on or about November 27, 2013.

#### FOR FURTHER INFORMATION CONTACT:

Jonathan Pierce, National Park Service, Southeast Region, 100 Alabama Street SW., 1924 Building, Atlanta, GA 30303. Phone: 404-507-5726.

**SUPPLEMENTARY INFORMATION:** In a letter to the Honorable Nikki Haley, Governor of South Carolina, dated July 30, 2013, in accordance with Sections 3-1-10 and 3-1-120 of the South Carolina Code and 40 U.S.C. 3112, Jonathan B. Jarvis, Director of the National Park Service, (NPS), formally accepted exclusive jurisdiction over certain lands administered by the NPS, acquired after September 29, 1983, within Congaree National Park, Cowpens National Battlefield, Fort Sumter National Monument, Ninety Six National Historic Site, and for all lands acquired at Charles Pinckney National Historic Site. The acceptance of exclusive jurisdiction was conditioned upon acceptance by the State of South Carolina of the simultaneous retrocession and relinquishment to the State of South Carolina of such measure of legislative jurisdiction, civil and criminal, as necessary to establish concurrent jurisdiction between the United States and the State of South Carolina. The State of South Carolina accepted the cession of jurisdiction, thereby establishing concurrent jurisdiction between the United States and the State of South Carolina, through execution of a notice of acceptance. The notice of acceptance was authorized by resolution of the South Carolina Budget and

Control Board, and subsequently signed by South Carolina Governor Nikki Haley on November 27, 2013. The notice was transmitted to and received by NPS Director Jarvis on December 16, 2013. Concurrent jurisdiction between the United States and the State of South Carolina on those lands as previously described was effective upon the sending of the notice of acceptance by the State of South Carolina.

Dated: March 10, 2014.

**Jonathan B. Jarvis,**

*Director, National Park Service.*

[FR Doc. 2014-07613 Filed 4-4-14; 8:45 am]

**BILLING CODE 4312-EJ-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

**[NPS-WASO-NRNHL-15227; PPWOCRADIO, PCU00RP14.R50000]**

#### Landmarks Committee of the National Park System Advisory Board Meeting

**AGENCY:** National Park Service, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** Notice is hereby given in furtherance of the Federal Advisory Committee Act, (5 U.S.C. Appendix 1-16), that a meeting of the Landmarks Committee of the National Park System Advisory Board will be held beginning at 10:00 a.m. on May 28, 2014, at the Charles Sumner School Museum and Archives. The meeting will continue beginning at 9:30 a.m. on May 29, 2014, at the National Park Service Washington Office. Please note the two different meeting locations.

**DATES:** The meeting will be held on May 28, 2014, from 10:00 a.m. to 4:30 p.m.; and May 29, 2014, from 9:30 a.m. to 12:00 p.m., (Eastern).

**Location:** The Charles Sumner School Museum and Archives, 3rd Floor, The Richard L. Hurlbut Memorial Hall, 1201 17th Street NW., Washington, DC 20036; and the National Park Service Washington Office, 2nd Floor, 1201 Eye Street NW., Washington, DC 20005.

**Agenda:** The National Park System Advisory Board and its Landmarks Committee may consider the following nominations:

California

CALIFORNIA POWDER WORKS  
BRIDGE, Santa Cruz County, CA  
Florida

MARJORY STONEMAN DOUGLAS  
HOUSE, Miami, FL

Indiana

SAMARA (JOHN E. AND  
CATHERINE E. CHRISTIAN  
HOUSE), West Lafayette, IN