

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, FEMA, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov); or visit the FEMA Map Information eXchange (FMIX) online at [www.floodmaps.fema.gov/fhm/fmx\\_main.html](http://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact

stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities.

These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and

other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at [www.fema.gov/pdf/media/factsheets/2010/srp\\_fs.pdf](http://www.fema.gov/pdf/media/factsheets/2010/srp_fs.pdf).

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location and the respective Community Map Repository address listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at [www.msc.fema.gov](http://www.msc.fema.gov) for comparison.

Community	Community Map Repository Address
<b>City of Homer, Alaska</b>	
Maps Available for Inspection Online at: <a href="http://www.starr-team.com/starr/RegionalWorkspaces/RegionX/HomerSpit/Preliminary%20Maps/Forms/AllItems.aspx">http://www.starr-team.com/starr/RegionalWorkspaces/RegionX/HomerSpit/Preliminary%20Maps/Forms/AllItems.aspx</a>	
City of Homer .....	City Hall, 491 East Pioneer Avenue, Homer, AK 99603.
<b>Collin County, Texas, and Incorporated Areas</b>	
Maps Available for Inspection Online at: <a href="http://riskmap6.com/Community.aspx?cid=292&amp;sid=5">http://riskmap6.com/Community.aspx?cid=292&amp;sid=5</a>	
City of Allen .....	City Hall, 305 Century Parkway, Allen, TX 75013.
City of Frisco .....	City Hall, 6101 Frisco Square Boulevard, 3rd Floor, Frisco, TX 75034.
City of McKinney .....	Engineering Department, 221 North Tennessee Street, McKinney, TX 75069.
City of Plano .....	City Hall, Engineering Department, 1520 Avenue K, Plano, TX 75074.
City of Richardson .....	Civic Center/City Hall, 411 West Arapaho Road, Room 204, Richardson, TX 75080.
Unincorporated Areas of Collin County .....	Collin County Engineering, 825 North McDonald Street, McKinney, TX 75069.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: July 12, 2012.

**Sandra K. Knight,**

*Deputy Associate Administrator for Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

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**BILLING CODE 9110-12-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R4-ES-2012-N065; 40120-1112-0000-F2]

#### Endangered and Threatened Wildlife and Plants; Receipt of Application for Incidental Take Permit; Availability of Proposed Low-Effect Habitat Conservation Plan and Associated Documents; Lee County, FL

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

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

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce the availability of an incidental take permit (ITP) application and Habitat Conservation Plan (HCP). The City of Cape Coral (applicant) requests an ITP under the Endangered Species Act of 1973, as amended (Act). The applicant anticipates taking about 75 acres of Florida scrub-jay habitat in Lee County, Florida, for the construction of a 215-acre multi-use recreational park, several nearby single-family residences, and associated infrastructure. The

applicant's HCP describes the minimization and mitigation measures proposed to address the effects of the project on the scrub-jay.

**DATES:** Written comments on the ITP application and HCP should be sent to the South Florida Ecological Services Office (see **ADDRESSES**) and should be received on or before September 4, 2012.

**ADDRESSES:** You may request documents by email, U.S. mail, or fax (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:* Trish\_Adams@fws.gov. Use "Attn: Permit number TE75891A-0" as your message subject line.

*Fax:* Trish Adams, 772-562-4288, Attn.: Permit number TE75891A-0.

*U.S. mail:* Trish Adams, HCP Coordinator, South Florida Ecological Services Field Office, Attn: Permit number TE75891A-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559.

*In-person drop-off:* You may drop off information during regular business hours at the above office address.

**FOR FURTHER INFORMATION CONTACT:** Ms. Trish Adams, HCP Coordinator, South Florida Ecological Services Office, Vero Beach, Florida (see **ADDRESSES**), telephone: 772-469-4232.

**SUPPLEMENTARY INFORMATION:** The City of Cape Coral (applicant) anticipates taking 75 acres of habitat used for breeding, feeding, and sheltering by the Florida scrub-jay (*Aphelocoma coerulescens*) in Lee County, Florida. The Service listed the scrub-jay as threatened on June 3, 1987 (52 FR 20715). The listing became effective July 6, 1987.

#### Applicant's Proposed Project

We received an application for an incidental take permit (ITP), along with a proposed habitat conservation plan (HCP). The applicant requests a 25-year permit under section 10(a)(1)(B) of the Act (87 Stat. 884; 16 U.S.C. 1531 *et seq.*). If we approve the permit, the applicant anticipates taking 75 acres of Florida scrub-jay habitat for construction of Festival Park (a 215-acre multi-use recreational park), single-family residences, and associated infrastructure. The project is located in the north-central part of the City of Cape Coral at latitude 26.701016, longitude—81.999287, Lee County, Florida.

The applicant proposes to mitigate for the loss of 75 acres of occupied scrub-jay habitat by restoring 125 acres of off-

site scrub habitat to be managed by Lee County, and to establish a fund that will provide for the long-term management of the mitigation area.

#### Our Preliminary Determination

The Service has made a preliminary determination that the applicant's project, including the proposed mitigation and minimization measures, will individually and cumulatively have a minor or negligible effect on the species covered in the HCP. Therefore, issuance of the ITP is a "low-effect" action and qualifies as a categorical exclusion under the National Environmental Policy Act (NEPA) (40 CFR 1506.6), as provided by the Department of the Interior Manual (516 DM 2 Appendix 1 and 516 DM 6 Appendix 1), and as defined in our Habitat Conservation Planning Handbook (November 1996).

We base our determination that issuance of the ITP qualifies as a low-effect action on the following three criteria: (1) Implementation of the project would result in minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) implementation of the project would result in minor or negligible effects on other environmental values or resources; and (3) impacts of the plan, 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 project qualifies as a "low-effect" project. This preliminary determination may be revised based on our review of public comments that we receive in response to this notice.

#### Next Steps

The Service will evaluate the HCP and comments submitted thereon to determine whether the application meets the requirements of section 10(a) of the Act. The Service will also evaluate whether issuance of the section 10(a)(1)(B) ITP would comply with section 7 of the Act by conducting an intra-Service section 7 consultation. The results of this consultation, in combination with the above findings, will be used in the final analysis to determine whether or not to issue the ITP. If it is determined that the requirements of the Act are met, the ITP will be issued for the incidental take of the scrub-jay.

#### Submitting Comments

If you wish to submit comments or information, you may do so by any one of several methods. Please reference permit number TE75891A-0 in such comments. You may mail comments to the Service's South Florida Ecological Services Office (see **ADDRESSES**). You may also comment via email to *trish\_adams@fws.gov*. Please also include your name and return address in your email message. If you do not receive a confirmation from us that we have received your email message, contact us directly at the telephone number listed under **FOR FURTHER INFORMATION CONTACT**. Finally, you may hand deliver comments to the Service office listed under **ADDRESSES**.

#### Availability of Public 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

This notice is provided pursuant to Section 10 of the Act and NEPA regulations (40 CFR 1506.6).

Dated: July 26, 2012.

**Larry Williams,**

*Field Supervisor, South Florida Ecological Services Office.*

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**BILLING CODE 4310-55-P**

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

#### Tribal Listening Sessions on Sacred Sites on Federal Lands

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** Indian Affairs will conduct listening sessions with Indian tribes to obtain oral and written comments concerning sacred sites located on Federal lands. See the **SUPPLEMENTARY INFORMATION** section of this notice for details.

**DATES:** See the **SUPPLEMENTARY INFORMATION** section of this notice for the dates of the tribal listening sessions. We will consider all comments received