



## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R3-ES-2023-N004; FXES11130300000-234-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 [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**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., ESXXXXXX; see table in **SUPPLEMENTARY INFORMATION**):

- *Email (preferred method):* [permitsR3ES@fws.gov](mailto:permitsR3ES@fws.gov). Please refer to the respective application number (e.g., Application No. ESXXXXXX) 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* (email). Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** We, the U.S. Fish and Wildlife Service, invite review and comment from the public and local, State, Tribal, and Federal agencies on applications we have received for permits to conduct certain activities with endangered and threatened species under section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and the Freedom of Information Act.

## **Background**

The ESA 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**

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. Proposed activities in the following permit requests are for the recovery and enhancement of propagation or survival of the species in the wild.

Application Number	Applicant	Species	Location	Activity	Type of Take	Permit Action
ESPER5565041	Julia Leone, Saint Paul, MN	Rusty patched bumble bee ( <i>Bombus affinis</i> )	MN	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, and release	New
ES64079B	Minnesota Zoo, Apple Valley, MN	Dakota skipper ( <i>Hesperia dacotae</i> ), poweshiek skipperling ( <i>Oarisma poweshiek</i> ), rusty patched bumble bee ( <i>Bombus affinis</i> )	MI, MN, ND, SD, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, identify, mark, monitor and survey, captive rearing, propagation, and release	Renew and amend
TE06845A	Lochmueller Group, Evansville, IN	Add new species – tricolored bat ( <i>Perimyotis subflavus</i> ) – to existing authorized species: Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), and gray bat ( <i>M. grisescens</i> )	GA, IL, IN, KY, OH; add: AL, AR, CO, DC, FL, IA, KS, LA, MA, MD, ME, MI, MN, MS, MO, MT, NE, NC, NH, NJ, NY, ND, OK, PA, RI, SD, TN, TX, UT, VI, VT, WI, WY, WV	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture with mist nets, identify, handle, collect non-intrusive measurements, band, radio-tag, and release	Renew and amend
ESPER5664139	Kevyn Juneau, River Falls, WI	Rusty patched bumble bee ( <i>Bombus affinis</i> )	WI	Conduct presence/absence surveys, document	Capture, handle, hold, and release	New

				habitat use, conduct population monitoring, and evaluate impacts		
ES08501D	Alyssa Roberts, Grand Rapids, MN	Rusty patched bumble bee ( <i>Bombus affinis</i> )	IA, IL, IN, MI, MN, MO, OH, WI	Conduct presence/ absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, hold, and release	Renew
ES81122C	Three Rivers Park District, Plymouth, MN	Rusty patched bumble bee ( <i>Bombus affinis</i> )	MN	Conduct presence/ absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, and release	Renew
ES74742C	Benjamin Smith, Kearney, MO	Add new species – Tricolored bat ( <i>Perimyotis subflavus</i> ) and Ozark big-eared bat ( <i>Corynorhinus townsendii ingens</i> ) – to existing authorized species: Indiana bat ( <i>Myotis sodalis</i> ), northern long- eared bat ( <i>M. septentrionalis</i> ), and gray bat ( <i>M. griseus</i> )	AL, AR, CT, DC, DE, FL, GA, KS, KY, IA, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, NC, NE, ND, NH, NJ, NY, OK, OH, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV, WY	Conduct presence/ absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture with mist nets and harp traps, identify, handle, collect non- intrusive measurements, band, radio-tag, and release	Renew and amend
ES74592A	Robert Brown, Liberty Township, OH	Add new species – Tricolored bat ( <i>Perimyotis subflavus</i> ) – to	AL, AR, CT, DE, DC, FL, GA, IL, IN, IA, KS, KY, LA,	Conduct presence/ absence surveys, document	Capture with mist nets and harp traps, identify, handle,	Renew and amend

		existing authorized species: Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), gray bat ( <i>M. grisescens</i> ), Ozark big-eared bat ( <i>Corynorhinus townsendii ingens</i> ), Virginia big-eared bat ( <i>C. t. virginianus</i> )	ME, MD, MA, MI, MN, MO, MS, MT, NE, NH, NJ, NY, NC, ND, OK, OH, PA, RI, SC, SD, TN, VT, VA, WV, WI, WY	habitat use, conduct population monitoring, and evaluate impacts	collect non-intrusive measurements, band, enter hibernacula, radio-tag, and release	
ES06452D	National Park Service Apostle Islands National Lakeshore, Bayfield, WI	Piping plover ( <i>Charadrius melodus</i> )	WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, salvage, release, and erect exclosures	Renew
ES38842A	Sanders Environmental, Inc., Bellefonte, PA	Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), gray bat ( <i>M. grisescens</i> ), Ozark big-eared bat ( <i>Corynorhinus townsendii ingens</i> ), Virginia big-eared bat ( <i>C. t. virginianus</i> )	Add new states – TX – to existing authorized states: AL, AR, FL, GA, IL, IN, IA, KS, KY, LA, MI, MN, MO, MS, MT, NC, ND, OK, OH, SC, SD, TN, WI, WY	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, radio-tag, band, and release	Amend
ES03494B	GAI Consultants, Florence, KY	Add new species – Tricolored bat ( <i>Perimyotis subflavus</i> ) – to	AL, AR, CO, CT, DC, DE, FL, GA, KS, KY, IA, IL, IN,	Conduct presence/absence surveys, document	Capture with mist nets and harp traps, identify, handle,	Renew and amend

		existing authorized species: Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), gray bat ( <i>M. grisescens</i> ), Ozark big-eared bat ( <i>Corynorhinus townsendii ingens</i> ), Virginia big-eared bat ( <i>C. t. virginianus</i> )	LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NE, ND, NH, NJ, NM, NY, OK, OH, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV, WY	habitat use, conduct population monitoring, and evaluate impacts	collect non-intrusive measurements, band, radio-tag, and release	
ES24566D	Nicholas Smeenk, Columbus, OH	Eastern massasauga rattlesnake ( <i>Sistrurus catenatus</i> ) and copperbelly water snake ( <i>Nerodia erythrogaster neglecta</i> )	IA, IL, IN, MI, NY, OH, PA, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, temporary hold for processing, handle, collect tissue samples, mark with PIT tags and/or ventral scale clips, and release	Renew
ES37065D	U.S. Army Corps of Engineers, Carlyle Lake Project Office, Carlyle, IL	Eastern massasauga rattlesnake ( <i>Sistrurus catenatus</i> )	IL	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, temporary hold for processing, handle, and release	Renew
ES14549C	Larissa Herrera, Belmont, MI	Add new species – round hickorynut ( <i>Obovaria subrotunda</i> ), to existing authorized species: 11 freshwater mussel species	IA, IL, IN, MI, MN, OH, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, release, and relocate due to stranding.	Amend

TE90426C	Natalie Dingleline, Haslett, MI	Hungerford's crawling water beetle ( <i>Brychius hungerfordi</i> )	MI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, conduct health and disease monitoring, and evaluate impacts	Capture, handle, temporarily hold, handle, release, relocate, and salvage	Renew
TE60958A	Bat Calls Identification, Inc. Kansas City, MO	Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), gray bat ( <i>M. grisescens</i> ), Ozark big-eared bat ( <i>Corynorhinus townsendii ingens</i> ), Virginia big-eared bat ( <i>C. t. virginianus</i> )	AL, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MO, MS, MT, NE, NH, NJ, NY, NC, ND, OK, OH, PA, RI, SC, SD, TN, VT, VA, WV, WI, WY	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture with mist nets, identify, handle, collect non-intrusive measurements, band, radio-tag, and release	Renew
ES30472	Elaine Evans, St. Paul, MN	Rusty patched bumble bee ( <i>Bombus affinis</i> )	MN, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, identify, mark, bio sample and release	Renew and Amend
TE64073B	Ecological and GIS Services, Indianola, IA	Dakota skipper ( <i>Hesperia dacotae</i> ), Poweshiek skipperling	IA, MN, SD	Conduct presence/absence surveys, document habitat use, conduct population	Capture, handle, release	Renew



		<i>(Oarisma poweshiek)</i>		monitoring, and evaluate impacts		
ESPER14620 21	Keystone Ecological Services, LLC, Wellsboro, PA	Add new species – Gray bat ( <i>Myotis grisescens</i> ), tricolored bat ( <i>Perimyotis subflavus</i> ) – to existing authorized species: Indiana bat ( <i>M. sodalis</i> ), northern long-eared bat ( <i>M. septentrionalis</i> ), Virginia big-eared bat ( <i>Corynorhinus townsendii virginianus</i> )	Add new states – AL, AR, CO, GA, IL, IN, KS, MO, MS, NM, OK – to existing authorized states: CT, DC, DE, IA, KY, LA, MA, MD, ME, MI, MN, MT, NC, ND, NE, NH, NJ, NY, OH, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV, WY	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Add new activity – capture with harp traps – to existing authorized activities: capture with mist nets, identify, handle, collect non-intrusive measurements, band, radio-tag, and release	Amend
ESPER00024 30	David Ford, Spring, TX	Add new species – Round hickorynut ( <i>Obovaria subrotunda</i> ) and longsolid ( <i>Fusconaia subrotunda</i> ), to existing authorized species: 21 freshwater mussel species	AL, AR, GA, IL, IN, IA, KS, KY, LA, MI, MN, MO, MS, NE, NM, NY, NC, OK, OH, PA, SD, TN, TX, VA, WV, WI	Conduct presence/absence surveys, document habitat use, conduct population monitoring, and evaluate impacts	Capture, handle, release, and relocate	Amend

## **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. Moreover, 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.*).

**Lori Nordstrom,**  
*Assistant Regional Director,*  
*Ecological Service,*  
*Midwest Region.*

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