

**Next Steps**

If we decide to issue a permit to an applicant 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.*).

**Lourdes Mena,**

*Acting Deputy Assistant Regional Director, Ecological Services, Southeast Region.*

[FR Doc. 2023-18523 Filed 8-25-23; 8:45 am]

BILLING CODE 4333-15-P

**DEPARTMENT OF THE INTERIOR****Fish and Wildlife Service**

[FWS-R8-ES-2023-0124;  
FXES1114080000-234-FF08EVEN00]

**Endangered and Threatened Wildlife and Plants; Three Draft Habitat Conservation Plans and Associated Draft Categorical Exclusions for Development of Single-Family Residences; Los Osos, San Luis Obispo County, CA**

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service (Service), have received three applications for incidental take permits (ITPs) for the federally threatened Morro shoulderband snail under the Endangered Species Act of 1973, as amended. Each of three applicants submitted a permit application which, if issued, would authorize take of the Morro shoulderband snail incidental to activities associated with development of a single-family residence in Los Osos, San Luis Obispo County, California. As part of the application for an ITP, each applicant submitted a draft habitat conservation plan for their respective project. For each project, The Service prepared a draft low-effect screening form and environmental action statement in accordance with the National Environmental Policy Act to evaluate the potential effects to the natural and human environment resulting from issuing an ITP to each applicant for their project. We invite the public and local, State, Tribal, and Federal agencies to comment on these documents.

**DATES:** Written comments should be received on or before September 27, 2023.

**ADDRESSES:** *Obtaining Documents:* The documents this notice announces, as well as any comments and other materials that we receive, will be available for public inspection online in Docket No. FWS-R8-ES-2023-0124 at <https://www.regulations.gov>. *Submitting Written Comments:* Please send us your written comments using one of the following methods:

- *Online:* <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R8-ES-2023-0124.
- *U.S. mail:* Public Comments Processing; Attn: FWS-R8-ES-2023-0124; U.S. Fish and Wildlife Service; MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:**

Rachel Henry, Fish and Wildlife Biologist, by email at [rachel\\_henry@fws.gov](mailto:rachel_henry@fws.gov) or via phone at (805) 448-7484. 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 (Service), have received three applications for incidental take permits (ITPs) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicants have developed draft habitat conservation plans (HCPs) for the respective projects that include measures to mitigate and avoid/minimize impacts to the federally threatened Morro shoulderband snail (*Helminthoglypta walkeriana*). Each of the permits, if granted, would authorize take of the Morro shoulderband snail incidental to otherwise lawful activities associated with construction of single-family residences within the community of Los Osos in San Luis Obispo County, California. In addition, two of the HCPs anticipate impacts to the federally threatened Morro manzanita (*Arctostaphylos morroensis*). The Service prepared three draft screening forms in accordance with the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*) to evaluate the potential effects to the natural and human environment resulting from issuing the ITPs and implementing the draft HCPs, in order to determine if the actions fit within the criteria for categorical exclusions under NEPA. We invite public comment on all of these documents.

**Background**

The Service listed the Morro manzanita as threatened on December 15, 1994 (59 FR 64613), and listed the Morro shoulderband snail as endangered on December 15, 1994 (65 FR 64613), and reclassified the Morro shoulderband snail from endangered to threatened on February 3, 2022 (87 FR 6063). Section 9 of the ESA prohibits “take” of fish and wildlife species listed as endangered (16 U.S.C. 1538), where take is defined to include the following activities: “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct” (16 U.S.C. 1532). The take prohibitions of section 9 are extended to species listed as threatened at the discretion of the Secretary of the Department of the Interior, and were extended to Morro shoulderband snail with exceptions. The Service published a 4(d) rule that includes exceptions to incidental take associated with native habitat enhancement and fire reduction activities (87 FR 6063).

Under section 10(a)(1)(B) of the ESA (16 U.S.C. 1539(a)(1)(B)), we may issue permits to authorize take of listed fish and wildlife species that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing incidental take permits for endangered and threatened species are in the Code of Federal Regulations (CFR) at 50 CFR 17.22 and 17.32, respectively. Issuance of an ITP also must not jeopardize the existence of federally listed fish, wildlife, or plant species, pursuant to section 7 of the ESA and 50 CFR 402.02. The permittee would receive assurances under our “No Surprises” regulations (50 CFR 17.22(b)(5) and 17.32(b)(5)).

**Proposed Activities**

Each applicant has applied for a permit for incidental take of the Morro shoulderband snail. The take would occur in association with activities associated with development of single-family residences and ancillary features on lots zoned for residential use within the community of Los Osos in San Luis Obispo County, California.

The respective HCPs include avoidance and minimization measures for the Morro shoulderband snail and mitigation for unavoidable loss of habitat that is occupied by the species. As mitigation for the loss of suitable habitat, the applicants propose mitigation that will support the recovery goals of the species such as restoration and protection of habitat.

### 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 can ask us in your comment to withhold your personal identifying information from public view, we cannot guarantee that we will be able to do so.

### Authority

We provide this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22 and 17.32) and National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6).

### Stephen Henry,

*Field Supervisor, Ventura Fish and Wildlife Office, Ventura, California.*

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**BILLING CODE P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

[NPS-WASO-NAGPRA-NPS0036466; PPWOCRADNO-PCU00RP14.R50000]

### Notice of Inventory Completion: Gilcrease Museum, Tulsa, OK

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

**SUMMARY:** In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the Gilcrease Museum has completed an inventory of human remains and associated funerary objects and has determined that there is a cultural affiliation between the human remains and associated funerary objects and Indian Tribes or Native Hawaiian organizations in this notice. The human remains and associated funerary objects were removed from Clark, Garland, Lafayette, Miller, Ouachita, and Union Counties, AR.

**DATES:** Repatriation of the human remains and associated funerary objects in this notice may occur on or after September 27, 2023.

**ADDRESSES:** Laura Bryant, Gilcrease Museum, 800 S Tucker Drive, Tulsa, OK 74104, telephone (918) 596-2747, email [laura-bryant@utulsa.edu](mailto:laura-bryant@utulsa.edu).

**SUPPLEMENTARY INFORMATION:** This notice is published as part of the National Park Service's administrative

responsibilities under NAGPRA. The determinations in this notice are the sole responsibility of the Gilcrease Museum. The National Park Service is not responsible for the determinations in this notice. Additional information on the determinations in this notice, including the results of consultation, can be found in the inventory or related records held by the Gilcrease Museum.

### Description

Human remains representing, at minimum, one individual were removed from Clark County, AR. In December of 1938, avocational archeologists Harry J. Lemley and S.D. Dickinson excavated these human remains at the Kirkham Place (3CL29). The 27 associated funerary objects are 20 lots consisting of sherds; one lot consisting of faunal remains, including antlers; two lots consisting of faunal bone tools; two lots consisting of lithic tools, including projectile points, scrapers, flakes, and knives; one lot consisting of pipe fragments; and one lot consisting of celts.

Human remains representing, at minimum, one individual were removed from Garland County, AR. In 1929, Reverend O.N. Wehunt removed these human remains from the Jim Williamson Place, and at an unknown date, Harry J. Lemley acquired them from Wehunt. The one associated funerary object is a ceramic vessel.

Human remains representing, at minimum, three individuals were removed from Lafayette County, AR. In 1900, H.A. McCants removed these human remains from the Joe Russell Place (3LA91, 3LA245, 3LA246), and at an unknown date, Harry J. Lemley acquired them. The one associated funerary object is a ceramic vessel.

Human remains representing, at minimum, one individual were removed from Lafayette County, AR. Sometime in the early 20th century, Gamel Smith removed these human remains from Lester's Brother's Place (3LA38, 3LA48), and at an unknown date, Harry J. Lemley acquired them. The one associated funerary object is a ceramic vessel.

Human remains representing, at minimum, two individuals were removed from Lafayette County, AR. During the early 20th century, various individuals, including Dan Jenkins, removed items from the Battle Place/William Handy Place (3LA0001), and at different times during the early-to-mid-20th century, Harry J. Lemley acquired them. The five associated funerary objects are one lot consisting of sherds, one lot consisting of faunal remains, two

lots consisting of lithic tools, and one ceramic vessel.

Human remains representing, at minimum, one individual were removed from Miller County, AR. In 1935, Harry J. Lemley removed these human remains from the Crenshaw Place (3MI6). No associated funerary objects are present.

In 1955, the Gilcrease Foundation purchased the human remains and associated funerary objects listed above from Harry J. Lemley. In 1963-1964, the Foundation transferred this collection to the City of Tulsa.

Human remains representing, at minimum, one individual were removed from Miller County, AR. In 1967, Gregory Perino, a curator at Gilcrease Museum at the time, removed these human remains from the Haley Place (3MI11). The three associated funerary objects are two ceramic vessels and one ceramic pipe bowl.

The human remains and associated funerary objects listed below were part of Frank and Norma Soday's collection. In 1982, the Thomas Gilcrease Museum Association purchased this collection and gifted it to the Gilcrease Museum.

Human remains representing, at minimum, one individual were removed from Ouachita County, AR. In 1950, Frank Soday, an avocational archeologist, removed these human remains from Carroll Givens Mound (3OU27, Soday site 380). No associated funerary objects are present.

Human remains representing, at minimum, one individual were removed from Ouachita County, AR. Sometime between 1948 and 1950, Frank Soday removed these human remains from Hindman Mound (Soday site 306). The two associated funerary objects are two lots consisting of faunal remains.

Human remains representing, at minimum, three individuals were removed from Ouachita County, AR. In 1949, Frank Soday removed these human remains from Bacon Mound #3 (3OU131, Soday site 360). The four associated funerary objects are one lot consisting of lithic tools, one lot consisting of pottery sherds, one lot consisting of faunal remains, and one lot consisting of daub.

Human remains representing, at minimum, seven individuals were removed from Ouachita County, AR. In 1950, Frank Soday removed these human remains from Freo Island (Soday site 371). The eight associated funerary objects are three lots consisting of faunal remains, one lot consisting of pottery sherds and daub, one lot consisting of shell beads and lithics, one ceramic vessel, one lot consisting of lithic tools, and one lot consisting of antlers.