

- Severe: Greater than \$7,500 of FEMA inspected personal property damage or determined destroyed and/or 6 or more feet of flooding on the first floor.

For rental properties, to meet the statutory requirement of “most impacted” in this legislative language, homes are determined to have a high level of damage if they have damage of “major-low” or higher. That is, they have a FEMA personal property damage assessment of \$2,000 or greater or flooding over 1 foot.

Furthermore, landlords are presumed to have adequate insurance coverage unless the unit is occupied by a renter with income less than the greater of the Federal poverty level

or 50 percent of Area Median Income. Units occupied by a tenant with income less than the greater of the Federal poverty level or 50 percent of Area Median Income are used to calculate likely unmet needs for affordable rental housing.

The average cost to fully repair a home for a specific disaster to code within each of the damage categories noted above is calculated using the median real property damage repair costs determined by the Small Business Administration for its disaster loan program for the subset of homes inspected by both SBA and FEMA for each eligible disaster. Because SBA is inspecting for full repair costs, it is presumed to reflect the full cost

to repair the home, which is generally more than the FEMA estimates on the cost to make the home habitable.

For each household determined to have unmet housing needs (as described above), their estimated average unmet housing need less assistance from FEMA and SBA provided for repair to homes with serious unmet needs. No unmet housing need cost multiplier can be less than the 25th percentile estimate across all disasters of 2017. Those minimum cost multipliers are: \$40,323 for major damage (low); \$55,812 for major damage (high); and \$77,252 for severe damage. The multipliers used for each disaster is shown below.

	Serious Unmet Housing Need Multipliers		
	Major-Low	Major-High	Severe
California	\$40,323	\$55,812	\$124,481
Florida	\$42,837	\$56,113	\$79,096
Georgia	\$40,323	\$55,812	\$77,252
Missouri	\$40,323	\$66,545	\$100,947
Puerto Rico	\$40,323	\$55,812	\$77,252
Texas	\$56,342	\$75,414	\$101,390
Virgin Islands	\$80,142	\$97,672	\$116,351

Methods for estimating unmet economic revitalization needs

Based on SBA disaster loans to businesses as of 3–22–2018, HUD calculates the median real estate and content loss by the following damage categories for each state:

- Category 1: real estate + content loss = below 12,000
- Category 2: real estate + content loss = 12,000–30,000
- Category 3: real estate + content loss = 30,000–65,000
- Category 4: real estate + content loss = 65,000–150,000
- Category 5: real estate + content loss = above 150,000

For properties with real estate and content loss of \$30,000 or more, HUD calculates the estimated amount of unmet needs for small businesses by multiplying the median damage estimates for the categories above by the number of small businesses denied an SBA loan, including those denied a loan prior to inspection due to inadequate credit or income (or a decision had not been made), under the assumption that damage among those denied at pre-inspection have the same distribution of damage as those denied after inspection.

Methods for estimating unmet infrastructure needs

To calculate unmet needs for infrastructure projects, HUD is using data obtained from FEMA as of March 30, 2018, showing the amount FEMA estimates will be needed to repair the permanent public infrastructure (Categories C to G) to their pre-storm condition. HUD uses these data to calculate two infrastructure unmet needs:

- The estimated local cost share for Public Assistance Category C to G projects.
- An allocation of \$2 billion for Maria affected disasters (Puerto Rico and the

Virgin Islands) for “enhanced or improved electrical power systems.” This is allocated between Puerto Rico and the Virgin Islands based on their relative share of total estimated Category F Public Assistance cost to repair public utilities.

Allocation Calculation

Once eligible entities are identified using the above criteria, the allocation to individual grantees represents their proportional share of the estimated unmet needs. For the formula allocation, HUD calculates total serious unmet recovery needs as the aggregate of:

- Serious unmet housing needs in most impacted counties less amounts of CDBG–DR previously allocated for serious unmet housing needs
- Serious unmet business needs less amounts of CDBG–DR previously allocated for serious business needs
- FEMA Public Assistance Category C to G local cost share and the \$2 billion additional amount for enhanced or improved electrical power systems in Puerto Rico and the Virgin Islands

Prior allocations for 2017 disasters are subtracted from this amount. Because this results in less than \$11 billion being allocated to Maria affected disasters (Puerto Rico and the Virgin Islands) from Public Law 115–123, an additional amount is added to those two grantees to reach \$11 billion based on their relative share of needs as calculated under the three bullets above.

This results in an estimate of unmet needs to be allocated from Public Law 115–123 of \$12.031 billion, allowing \$3.935 billion to be allocated to mitigation.

Allocating for mitigation

The allocation of \$15.935 billion in mitigation funds (the \$12 billion appropriated for mitigation plus the \$3.935

billion remaining after allocation of 100% of unmet needs) is allocated proportionally based on each grantee’s relative share of the \$22.425 billion of CDBG–DR funds allocated for unmet needs to disasters occurring in 2015, 2016, and 2017. For example, the combination of all grants to Puerto Rico for unmet needs represents 52 percent of the \$22.425 billion allocated for unmet needs. As a result, Puerto Rico receives 52 percent of the \$15.935 billion made available for mitigation funding.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R3–ES–2018–N044;
FXES11130300000–189–FF03E00000]

Draft Environmental Assessment and Draft Habitat Conservation Plan; Receipt of an Application for an Incidental Take Permit, Headwaters Wind Farm, Randolph County, Indiana

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 an application from Headwaters Wind Farm LLC (applicant), for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA), for its Headwaters Wind Farm (Headwaters) (project). If approved, the ITP would be for a 27-year period and

would authorize the incidental take of an endangered species, the Indiana bat, and a threatened species, the northern long-eared bat. The applicant has prepared a draft habitat conservation plan (HCP) that describes the actions and measures that the applicant would implement to avoid, minimize, and mitigate incidental take of the Indiana bat and northern long-eared bat. We also announce the availability of a draft Environmental Assessment (DEA), which has been prepared in response to the permit application in accordance with the requirements of the National Environmental Policy Act (NEPA). We request public comment on the application and associated documents.

DATES: We will accept comments received or postmarked on or before September 14, 2018.

ADDRESSES: *Document availability:*

- *Internet:* You may obtain copies of the documents on the internet at <https://www.fws.gov/midwest/endangered/permits/hcp/r3hcps.html>.

- *U.S. Mail:* You can obtain the documents by mail from the Indiana Ecological Services Field Office (see **FOR FURTHER INFORMATION CONTACT**).

- *In-Person:* To view hard copies of the documents in person, go to one of the Ecological Services Offices (8 a.m. to 4 p.m.) listed under **FOR FURTHER INFORMATION CONTACT**.

Comment submission: In your comment, please specify whether your comment addresses the draft HCP, DEA, or any combination of the aforementioned documents, or other supporting documents. You may submit written comments by one of the following methods:

- *Electronically:* Submit by email to IndianaFO@fws.gov.

- *By hard copy:* Submit by U.S. mail or hand-delivery to U.S. Fish and Wildlife Service, Indiana Ecological Services Field Office, 620 S Walker Street, Bloomington, IN 47403.

FOR FURTHER INFORMATION CONTACT:

Scott Pruitt, Field Supervisor, Bloomington, Indiana, Ecological Services Field Office, U.S. Fish and Wildlife Service, 620 South Walker Street, Bloomington, IN 47403; telephone: 812-334-4261, extension 214; or Erik Olson, Fish and Wildlife Biologist, Ecological Services, Midwest Regional Office, U.S. Fish and Wildlife Service, 5600 American Blvd., West, Suite 990, Bloomington, MN 55437-1458; telephone: 612-713-5488.

SUPPLEMENTARY INFORMATION: We have received an application from Headwaters Wind Farm LLC (HWF) for an incidental take permit under the ESA (16 U.S.C. 1531 *et seq.*). If approved, the

ITP would be for a 27-year period and would authorize incidental take of the endangered Indiana bat (*Myotis sodalis*) and the threatened northern long-eared bat (*Myotis septentrionalis*).

The applicant has prepared a draft HCP that covers the operation of the Headwaters Wind Farm (Headwaters). The project consists of a wind-powered electric generation facility located in an approximately 53,808-acre area in Randolph County, Indiana. The draft HCP describes the following: (1) Biological goals and objectives of the HCP; (2) covered activities; (3) permit duration; (4) project area; (5) alternatives to the taking that were considered; (5) public participation; (6) life history of the Indiana bat and northern long-eared bat; (6) quantification of the take for which authorization is requested; (7) assessment of direct and indirect effects of the taking on the Indiana bat within the Midwest Recovery Unit (as delineated in the 2007 Indiana Bat Draft Recovery Plan, Service) and rangewide; (8) assessment of direct and indirect effects of the taking on the northern long-eared bat within the Service's Midwest region and rangewide; (9) conservation program consisting of avoidance and minimization measures, mitigation, monitoring, and adaptive management; (10) funding for the HCP; (11) procedures to deal with changed and unforeseen circumstances; and (12) methods for ITP amendments.

Under the NEPA (43 U.S.C. 4321 *et seq.*) and the ESA, the Service announces that we have gathered the information necessary to:

1. Determine the impacts and formulate alternatives for an EA related to:

- a. Issuance of an ITP to the applicant for the take of the Indiana bat and the northern long-eared bat, and

- b. Implementation of the associated HCP; and

2. Evaluate the application for ITP issuance, including the HCP, which provides measures to minimize and mitigate the effects of the proposed incidental take of the Indiana bat and the northern long-eared bat.

Background

The HWF application is unusual in that the wind facility has been operational since 2014. The project includes 100 Vestas V110 2.0 megawatt wind turbines and has a total energy capacity of 200 MW. The need for the proposed action (*i.e.*, issuance of an ITP) is based on the potential that operation of the Headwaters Wind Farm could result in take of Indiana bats and northern long-eared bats.

The HCP provides a detailed conservation plan to ensure that the incidental take caused by the operation of the project will not appreciably reduce the likelihood of the survival and recovery of the Indiana bat and northern long-eared bat, and provides mitigation to fully offset the impact of the taking. Further, the HCP provides a long-term monitoring and adaptive management strategy to ensure that the ITP terms are satisfied, and to account for changed and unforeseen circumstances.

Purpose and Need for Action

In accordance with NEPA, the Service has prepared an EA to analyze the impacts to the human environment that would occur if the requested ITP were issued and the associated HCP were implemented.

Proposed Action

Section 9 of the ESA prohibits the "taking" of threatened and endangered species. However, provided certain criteria are met, the Service is authorized to issue permits under section 10(a)(1)(B) of the ESA for take of federally listed species when, among other things, such a taking is incidental to, and not the purpose of, otherwise lawful activities. Under the ESA, the term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect endangered and threatened species, or to attempt to engage in any such conduct. Our implementing regulations in title 50 of the Code of Federal Regulations define "harm" as an act which actually kills or injures wildlife, and such act may include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Harass, as defined in our regulations, means "an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering" (50 CFR 17.3).

The HCP analyzes, and the ITP would cover, take from harassment and harm, and killing of bats due to the operation of the Headwaters project. If issued, the ITP would authorize incidental take consistent with the applicant's HCP and the ITP. To issue the ITP, the Service must find that the application, including its HCP, satisfies the criteria of section 10(a)(1)(B) of the ESA and the Service's implementing regulations at 50 CFR part 13 and § 17.22. If the ITP

is issued, the applicant would receive assurances under the Service's No Surprises policy, as codified at 50 CFR 17.22(b)(5).

The applicant proposes to operate a maximum of 100 wind turbines and associated facilities (described below) for a period of 27 years in Randolph County, Indiana. The project consists of wind turbines, associated access roads, an underground and aboveground electrical collector system, one substation containing transformers that feed electricity into an existing 345-kilovolt (kV) electrical tie-in line, a 10-mile generator lead line, three permanent meteorological towers, and an operations and maintenance building. Project facilities and infrastructure are placed on private land via long-term easement agreements between the applicant and respective landowners.

The draft HCP describes the impacts of take associated with the operation of the Headwaters Wind Farm and includes measures to avoid, minimize, mitigate, and monitor the impacts of incidental take on the Indiana bat and the northern long-eared bat. The applicant will mitigate for take and associated impacts through protection and restoration of maternity colony habitat and/or swarming habitat, and gating of an Indiana bat hibernacula. Habitat mitigation, including any restored habitat, will occur on private land and be permanently protected by restrictive covenants approved by the Service. Chapter 5 of the HCP describes the Conservation Program, including details of avoidance and minimization measures, compensatory mitigation, and adaptive management that will limit and mitigate for the take of Indiana bats and northern long-eared bats.

The Service is soliciting information regarding the adequacy of the HCP to avoid, minimize, mitigate, and monitor the proposed incidental take of the covered species and to provide for adaptive management. In compliance with section 10(c) of the ESA (16 U.S.C. 1539(c)), the Service is making the ITP application materials available for public review and comment as described above.

We invite comments and suggestions from all interested parties on the draft documents associated with the ITP application (HCP and HCP Appendices), and request that comments be as specific as possible. In particular, we request information and comments on the following topics:

1. Whether adaptive management and monitoring provisions in the Proposed Action alternative are sufficient;

2. Any threats to the Indiana bat and the northern long-eared bat that may influence their populations over the life of the ITP that are not addressed in the draft HCP or draft EA;

3. Any new information on white-nose syndrome effects on the Indiana bat and the northern long-eared bat; and

4. Any other information pertinent to evaluating the effects of the proposed action on the Indiana bat and the northern long-eared bat.

Alternatives in the Draft EA

The DEA contains an analysis of four alternatives: (1) No Action alternative, in which all 100 turbines would be feathered from ½ hour before sunset to ½ hour after sunrise up to 5.0 meters per second (m/s) from March 15 through May 15 and up to 6.9 m/s from August 1 through October 15. In addition, 10 turbines within 1,000 feet of suitable habitat would be feathered up to 6.9 m/s with the rest of the turbines feathered up to manufacturer's cut-in speed (3.0 m/s) from May 16 through July 31. This curtailment regime would occur each year during the operational life (27 years) of Headwaters; (2) the 5.0 m/s Cut-In Speed (feathered) Alternative including implementation of the HCP and issuance of a 27-year ITP; (3) the 6.5 m/s Cut-In Speed (feathered) Alternative, including implementation of the HCP and issuance of a 27-year ITP; and (4) the 4.0 m/s Cut-In Speed (feathered) Alternative, including implementation of the HCP and issuance of a 27-year ITP. The DEA considers the direct, indirect, and cumulative effects of the alternatives, including any measures under the Proposed Action alternative intended to minimize and mitigate such impacts. The DEA also identifies two additional alternatives that were considered but were eliminated from analysis as detailed in Section 3.4 of the DEA.

The Service invites comments and suggestions from all interested parties on the content of the DEA. In particular, information and comments regarding the following topics are requested:

1. The direct, indirect, or cumulative effects that implementation of any alternative could have on the human environment;

2. Whether or not the significance of the impact on various aspects of the human environment has been adequately analyzed; and

3. Any other information pertinent to evaluating the effects of the proposed action on the human environment.

Public Comments

You may submit your comments and materials related to the draft HCP, DEA,

or other supporting documents by one of the methods listed in **ADDRESSES**. We request that you send comments by only one of the methods described in **ADDRESSES**.

Comments and materials we receive, as well as documents associated with the notice, will be available for public inspection by appointment, during normal business hours, at the Indiana Ecological Services Field Office in Bloomington, Indiana (see **FOR FURTHER INFORMATION CONTACT**). 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.

Authority

We provide this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.22) and the NEPA (42 U.S.C. 4371 *et seq.*) and its implementing regulations (40 CFR 1506.6; 43 CFR part 46).

Dated: April 18, 2018.

Lori H. Nordstrom,

Assistant Regional Director, Ecological Services, Midwest Region.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2018-N065;
FXES1114020000-189-FF02ENEH00]

Incidental Take Permit Applications Received To Participate in the American Burying-Beetle Amended Oil and Gas Industry Conservation Plan in Oklahoma

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for public comments.

SUMMARY: Under the Endangered Species Act (ESA), as amended, we, the U.S. Fish and Wildlife Service, invite the public to comment on Federally-listed American burying-beetle incidental take permit (ITP)