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Part II

Department of the Interior

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Proposed Designation of
Critical Habitat for the Northern Great Plains Breeding Population of
the Piping Plover; Proposed Rule

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AH96

Endangered and Threatened Wildlife and Plants; Proposed
Designation of Critical Habitat for the Northern Great Plains Breeding
Population of the Piping Plover

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), propose to designate critical habitat for the northern Great Plains breeding population of the piping plover (*Charadrius melodus*), pursuant to the Endangered Species Act of 1973, as amended (Act). The proposed designation includes 16 critical habitat units comprised of 11 areas of prairie alkali wetlands, inland and reservoir lakes, totaling approximately 196,576.5 acres [79,553.1 hectares] and 5 areas found along portions of 4 rivers in the States of Minnesota, Montana, Nebraska, North Dakota, and South Dakota totaling approximately 1,338 river miles (2,153 kilometers).

Critical habitat would include prairie alkali wetlands and surrounding shoreline, including 200 feet (61 meters) of uplands above the high water mark; river channels associated sandbars, and islands; reservoirs and their sparsely vegetated shorelines, peninsulas, and islands; and inland lakes and their sparsely vegetated shorelines and peninsulas. Section 7 of the Act requires Federal agencies to ensure that actions they authorize, fund, or carry out are not likely to destroy or adversely modify critical habitat. Section 4 of the Act requires that we consider economic and other relevant impacts prior to making a final decision on what areas to designate as critical habitat; we may exclude areas from the final critical habitat determination if we determine that the benefits of excluding these areas outweigh the benefits of including them in the final designation. As a result, the final designation may differ from this proposal.