

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

[FWS-R4-ES-2019-N147;
FXES1114040000-190-FF04EF2000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink, Blue-Tailed Mole Skink, and Florida Scrub-Jay, Highlands County, FL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from Palmetto Lake Placid-Washington Blvd., LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink, blue-tailed mole skink, and Florida scrub-jay incidental to construction in Highlands County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded, under the National Environmental Policy Act. To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

DATES: We must receive your written comments by November 25, 2019.

ADDRESSES: *Obtaining Documents:* You may obtain copies of the documents by any of the following methods:

- *Telephone:* Heather Hitt, 772-469-4267.

- *Email:* heather_hitt@fws.gov.

- *U.S. mail:* Heather Hitt, South Florida Ecological Services Field Office, Attn: Permit number TE50084D-0, U.S. Fish and Wildlife Service, 1339 20th Street, Vero Beach, FL 32960-3559.

- *In-person:* The documents may be reviewed by appointment during normal business hours at the above address. Please call to make an appointment.

- *Fax:* Heather Hitt, 772-562-4288, Attn.: Permit number TE50084D-0.

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing via the above email address, U.S. mail address, or fax number, or you may hand-deliver comments to the above address during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Heather Hitt, by U.S. mail (see **ADDRESSES**) or via phone at 772-469-4267. Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800-877-8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service (Service), announce receipt of an application from Palmetto Lake Placid-Washington Blvd., LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The applicant requests the ITP to take the federally listed sand skink (*Neoseps reynoldsi*) and blue-tailed mole skink (*Eumeces egregius lividus*) (skinks) and the Florida scrub-jay (*Aphelocoma coerulescens*) (scrub-jays) incidental to the construction of a commercial development (project) in Highlands County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP) and the Service's preliminary determination that this HCP qualifies as "low-effect," categorically excluded under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*). To make this determination, we used our environmental action statement and low-effect screening form, both of which are also available for public review.

Project

Palmetto Lake Placid-Washington Blvd., LLC requests a 5-year ITP to take skinks and scrub-jays incidental to the conversion of approximately 1.42 acres of occupied skink and scrub-jay foraging and sheltering habitat for the construction of a commercial development on a 1.42-acre parcel in Section 33, Township 36 South, Range 30 East, Highlands County, Florida. The applicant proposes to mitigate for take of the skinks and scrub-jays by purchasing credits equivalent to 2.84 acres of skink-occupied habitat from the Backbone Conservation Bank and to 2.84 acres of scrub-jay occupied habitat from the Tippen Bay Scrub-Jay Conservation Bank. The Service would require the applicant to purchase the credits prior to engaging in land clearing activities on the parcel.

Public Availability of Comments

Before including your address, phone number, email address, or other personal identifying information in your comment, be aware that your entire comment—including your personal

identifying information—may be made available to the public. While you may request that we withhold your personal identifying information, we cannot guarantee that we will be able to do so.

Our Preliminary Determination

The Service has made a preliminary determination that the applicant's project, including land clearing, construction of the commercial development, and the proposed mitigation measure, would individually and cumulatively have a minor or negligible effect on skinks, scrub-jays, and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion and the HCP is low effect under our NEPA regulations at 43 CFR 46.205 and 46.210. A low-effect HCP is one that would result in (1) minor or negligible effects on federally listed, proposed, and candidate species and their habitats; (2) minor or negligible effects on other environmental values or resources; and, (3) impacts that, when considered together with the impacts of other past, present, and reasonable foreseeable similarly situated projects, would not over time result in significant cumulative effects to environmental values or resources.

Next Steps

The Service will evaluate the application and the comments received to determine whether to issue the requested permit. We will also conduct an intra-Service consultation pursuant to section 7 of the ESA to evaluate the effects of the proposed take. After considering the above findings, we will determine whether the permit issuance criteria of section 10(a)(1)(B) of the ESA have been met. If met, the Service will issue ITP number TE50084D-0 to Palmetto Lake Placid-Washington Blvd., LLC for incidental take of skinks and scrub-jays.

Authority

The Service provides this notice under section 10(c) (16 U.S.C. 1539(c)) of the ESA and NEPA regulations 40 CFR 1506.6.

Roxanna Hinzman,

Field Supervisor, South Florida Ecological Services Office.

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