be made publicly available at any time. While you may 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. 1539 *et seq.*) and NEPA regulations (40 CFR 1506.6).

Scott Sobiech,

Field Supervisor, Carlsbad Fish and Wildlife Office, Carlsbad, California.

[FR Doc. 2021–06359 Filed 3–26–21; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS–R2–ES–2020–N148; FXES11140200000–212–FF02ENEH00]

Draft Environmental Assessment and Habitat Conservation Plan; CPS Energy Programmatic Habitat Conservation Plan, Bexar County, Texas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for public comments.

SUMMARY: We, the U.S. Fish and Wildlife Service, announce that CPS Energy has applied for an incidental take permit (ITP) under the Endangered Species Act (ESA) that would authorize incidental take of one endangered songbird, the golden-cheeked warbler, and eight endangered karst invertebrates. We make available a draft environmental assessment (dEA) under the National Environmental Policy Act and a habitat conservation plan (HCP) for CPS Energy's covered activities in and around San Antonio, Bexar County, Texas. The dEA evaluates the impacts of, and alternatives to, implementation of the proposed HCP.

DATES: To ensure consideration, written comments must be received or postmarked on or before 11:59 p.m. eastern time on April 28, 2021. We may not consider any comments we receive after the closing date in the final decision on this action.

ADDRESSES: *Accessing Documents:*

Internet: The *dEA and HCP:* You may obtain electronic copies of these documents on the Service's website at *https://www.fws.gov/southwest/es/AustinTexas/.*

U.S. Mail: You may obtain the documents by writing to the following addresses. In your request for documents, please reference CPS Energy HCP.

- *DEA and HCP:* A limited number of CD–ROM and printed copies of the dEA and HCP are available, by request, from Mr. Adam Zerrenner, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758; telephone 512–490–0057; fax 512–490–0974.
- *ITP Application:* The ITP application is available by mail from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 1306, Room 6034, Albuquerque, NM 87103; Attention: Environmental Review Branch.

Submitting Comments: Regarding any of the documents available for review, you may submit written comments by one of the following methods. In your comments, please reference CPS Energy HCP.

- *Email: FW2_AUES_Consult@fws.gov.*
- *Hard Copy:* Field Supervisor, Austin Ecological Services Field Office, 10711 Burnet Road, Suite 200, Austin, Texas 78758; telephone 512–490–0057; fax 512–490–0974.

We request that you submit comments by only one of the methods described above.

FOR FURTHER INFORMATION CONTACT: Adam Zerrenner, Field Supervisor, by mail at U.S. Fish and Wildlife Service, 10711 Burnet Road, Suite 200, Austin, Texas 78758; via phone at 512–490–0057; or via the Federal Relay Service at 800–877–8339.

SUPPLEMENTARY INFORMATION: Section 9 of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations prohibit the ''take'' of animal species listed as endangered or threatened. Take is defined under the ESA as to ''harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct'' (16 U.S.C. 1538). However, under section 10(a) of the ESA, we may issue permits to authorize incidental take of listed species. ''Incidental take'' is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity. Regulations governing such take of endangered and threatened species, respectively, are found in the Code of Federal Regulations at 50 CFR 17.22 and 50 CFR 17.32.

Background

CPS Energy has applied to the Service for an ITP under section 10(a)(1)(B) of the ESA. The requested ITP, which would be in effect for a period of 30 years, if granted, would authorize incidental take of nine endangered species: Golden-cheeked warbler (*Setophaga* [=*Dendroica*] *chrysoparia*), Madla Cave meshweaver (*Cicurina madla*), Government Canyon Bat Cave spider (*Tayshaneta* [=*Neoleptoneta*] *microps*), Government Canyon Bat Cave meshweaver (*C. vespera*), Helotes mold beetle (*Batrisodes venyivi*), two ground beetles with no common names (*Rhadine exilis* and *Rhadine infernalis*), Robber Baron Cave meshweaver (*C. baronia*), and Cokendolpher cave harvestman (*Texella cokendolpheri*) (collectively the covered species). The proposed incidental take would result from activities associated with otherwise lawful activities, including electric transmission and distribution lines; natural gas transmission and distribution lines; electric or natural gas substations, switching stations, metering stations, and similar site-based facilities; and lighting on public roadways (covered activities).

Alternatives

Proposed Action

The proposed action involves the issuance of an ITP by the Service for the covered activities in the permit area, under section 10(a)(1)(B) of the ESA. The ITP would cover ''take'' of the covered species for covered activities within the permit area. An application for an ITP must include an HCP that describes the conservation measures the applicant has agreed to undertake to minimize and mitigate for the impacts of the proposed taking of covered species to the maximum extent practicable. The applicant will fully implement the HCP if approved by the Service. The terms of the HCP and ITP will also ensure that incidental take will not appreciably reduce the likelihood of the survival and recovery of the species in the wild.

No Action Alternative

We have considered one alternative to the proposed action as part of this process: No Action. Under a No Action alternative, the Service would not issue the requested ITP and the applicant would either consult under the ESA on a project-by-project basis, rather than programmatically, or conduct those activities in a manner that avoids incidental take. Additionally, the applicant would not implement the conservation measures as described in the CPS Energy HCP.

Next Steps

We will evaluate the dEA, HCP, and comments we receive to determine whether the ITP application meets the

requirements of section 10(a) of the ESA. We will also evaluate whether issuance of a section 10(a)(1)(B) permit would comply with section 7 of the ESA by conducting an intra-Service section 7 consultation. We will use the results of this consultation, in combination with the above findings, in our final analysis to determine whether to issue an ITP. If all necessary requirements are met, we will issue the ITP to the applicant.

Public Availability of Comments

Written comments we receive become part of the public 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. 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.

Authority

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

Amy L. Lueders,

Regional Director, Southwest Region.

[FR Doc. 2021–06421 Filed 3–26–21; 8:45 am]

BILLING CODE 4333–15–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS–R4–ES–2021–0017; FXES11140400000–212–FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink, Orange 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 WP South Acquisitions, LLC (Wood Partners) (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink incidental to construction in Orange 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 on or before April 28, 2021.

ADDRESSES:

Obtaining Documents: You may obtain copies of the documents online in Docket No. FWS–R4–ES–2021–0017 at *http://www.regulations.gov.*

Submitting Comments: If you wish to submit comments on any of the documents, you may do so in writing by any of the following methods:

- *Online: http://www.regulations.gov.* Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2021–0017.
- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS–R4–ES–2021–0017; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

FOR FURTHER INFORMATION CONTACT: Erin M. Gawera, by telephone at 904–731–3121 or via email at *erin_gawera@fws.gov.* Individuals who are hearing or speech impaired may call the Federal Relay Service at 1–800–877–8339 for TTY assistance.

SUPPLEMENTARY INFORMATION: We, the Fish and Wildlife Service, announce receipt of an application from Wood Partners 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*) incidental to the construction of a housing development (project) in Orange 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. 4231 *et seq.*). To make this determination, we used our environmental action statement and low-effect screening form, which are also available for public review.

Project

The applicant requests a 5-year ITP to take sand skinks by converting approximately 2.72 acres (ac) of occupied sand skink foraging and sheltering habitat incidental to the construction of a housing development located on a 21.6-ac parcel in Sections 31 and 32, Township 23 South, Range 27 East, on Parcel ID number 32–23–27–0000–00–007 in Orange County, Florida. The applicant proposes to mitigate for take of the sand skinks by purchasing 5.44 credits from the Lake Wales Ridge Conservation Bank or another Service-approved conservation bank. The Service would require the applicant to make this purchase prior to engaging in activities associated with the project.

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, infrastructure building, landscaping, and the proposed mitigation measure, would individually and cumulatively have a minor or negligible effect on sand skinks and the environment. Therefore, we have preliminarily concluded that the ITP for this project would qualify for categorical exclusion and that the HCP is low effect under our NEPA regulations at 43 CFR 45.4405 and 45.4410. 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 reasonably foreseeable similarly situated projects, would not result in significant cumulative effects to environmental values or resources over time.

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