

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

[Docket No. FWS-R4-ES-2025-1364;  
FXES11140400000-267-FF04EF4000]

**Receipt of Incidental Take Permit  
Application and Proposed Habitat  
Conservation Plan for Sand Skink and  
Bluetail Mole Skink; Lake County, FL;  
Categorical Exclusion**

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

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

**SUMMARY:** We, the Fish and Wildlife Service (Service), announce receipt of an application from Clayton Properties Group, Inc. dba Highland Homes (Radio Road) (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed threatened sand skink (skinks) incidental to the construction of a mixed residential development and the associated clearing and infrastructure in Lake County, Florida. We request public comment on the application, which includes the applicant's proposed habitat conservation plan (HCP), and on the Service's preliminary determination that the proposed permitting action may be eligible for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) NEPA regulations, and the DOI Departmental Manual. To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, which is available for public review. We invite comment from the public and local, State, Tribal, and Federal agencies.

**DATES:** We must receive your written comments on or before April 6, 2026.

**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-R4-ES-2025-1364 at <https://www.regulations.gov>.

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

- *Online:* <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2025-1364.

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2025-1364; U.S. Fish and Wildlife Service, MS: PRB/3W; 5275 Leesburg Pike; Falls Church, VA 22041-3803.

**FOR FURTHER INFORMATION CONTACT:** Erin Gawera, Jacksonville Ecological Services Field Office, by phone at 904-404-2464 or via email at [erin\\_gawera@fws.gov](mailto:erin_gawera@fws.gov). 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 Fish and Wildlife Service (Service), announce receipt of an application from Clayton Properties Group, Inc. dba Highland Homes (Radio Road) (applicant) for an incidental take permit (ITP), also known as a section 10(a)(1)(B) permit, 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 threatened sand skink (*Neopseps (=Plestiodon reynoldsi)* (skinks) incidental to the construction of a mixed residential development and the associated clearing and infrastructure in Lake County, Florida. We request public comment on the application, which includes the applicant's habitat conservation plan (HCP), and on the Service's preliminary determination that this proposed ITP may qualify for a categorical exclusion pursuant to the National Environmental Policy Act (NEPA), the Department of the Interior's (DOI) NEPA regulations (43 CFR 46), and the DOI's Departmental Manual (516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, which is also available for public review.

**Proposed Project**

The applicant requests a 10-year ITP to take skinks via the conversion of approximately 2.08 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a mixed residential development on 47.92 acs, on Parcel Alternate Key #s 1734801, 3889883, 1274184 and a portion of 1274168 in Section 14, Township 19 South, Range 25 East, Lake County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 4.16 ac of skink-occupied habitat within the Lake Wales Ridge Conservation Bank or another Service approved skink conservation bank. The Service would require the applicant to purchase the

credits prior to engaging in any phase of the project.

**Our Preliminary Determination**

The Service has made a preliminary determination that reasonably foreseeable effects of the applicant's proposed project, including the construction of a mixed residential development and the associated clearing and infrastructure, would have a minor effect on skinks and the human environment, and no extraordinary circumstances in 43 CFR 46.215 apply. Reasonably foreseeable effects encompass effects of implementation of the action including effects of the action in addition to other past, present, and reasonably foreseeable future effects. Therefore, we have preliminarily determined that the proposed ESA section 10(a)(1)(B) permit would be a low-effect ITP that may qualify for application of a categorical exclusion (516 DM 8.5(C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI Departmental Manual. A low-effect ITP is one that would result in (1) negligible or minor individual or cumulative effects on species covered in the HCP; (2) no significant effect on the human environment; and (3) reasonably foreseeable effects that would not result in significant effects to the human environment.

**Next Steps**

The Service will evaluate the application and the comments to determine whether to issue the requested ITP. 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 preceding and other matters, 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 PER16366737 to Clayton Properties Group, Inc. dba Highland Homes (Radio Road).

**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. If you submit a comment at <https://www.regulations.gov>, your entire comment, including any personal identifying information, will be posted on the website. If you submit a hardcopy comment that includes personal identifying information, such as your address, phone number, or

email address, you may request at the top of your document that we withhold this information from public review. However, we cannot guarantee that we will be able to do so. Moreover, 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

The Service provides this notice under section 10(c) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and its implementing regulations (43 CFR part 46).

#### Jose Rivera,

Acting Manager, Division of Environmental Review, Florida Ecological Services Field Office.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

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### Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado—Liquor Code Amendment

**AGENCY:** Bureau of Indian Affairs, Interior.

**ACTION:** Notice.

**SUMMARY:** This notice publishes amended Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado Liquor Code.

**DATES:** This Liquor Code shall become effective March 5, 2026.

#### FOR FURTHER INFORMATION CONTACT:

Sophia J. Torres, Management and Program Analyst, Southwest Regional Office, Bureau of Indian Affairs, 1001 Indian School Road NW, Albuquerque, NM 87104-2303, Phone: (505) 536-3304; Fax: (505) 563-3101.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Act of August 15, 1953, Public Law 83-277, 67 Stat. 586, 18 U.S.C. 1161, as interpreted by the Supreme Court in *Rice v. Rehner*, 463 U.S. 713 (1983), the Secretary of the Interior shall certify and publish in the **Federal Register** notice of adopted liquor ordinances for the purpose of regulating liquor transactions in Indian country. On September 24, 2024, the Southern

Ute Indian Tribe of the Southern Ute Reservation, Colorado adopted this amended Liquor Code by Resolution No. 2024-186, which regulates and controls the possession, consumption, and sale of liquor within the Southern Ute Reservation.

This notice is published in accordance with the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs. I certify that the Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado duly adopted the amended Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado Liquor Code by Resolution No. 2024-186 dated September 24, 2024.

#### William Henry Kirkland III,

Assistant Secretary—Indian Affairs.

The Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado, Liquor Code, as amended, shall read as follows:

#### TITLE 26

#### SOUTHERN UTE INDIAN TRIBAL CODE

#### LIQUOR CODE

#### PART I—GENERAL PROVISIONS

##### Article 1. General Provisions and Purpose

*26-1-101. Purpose.* The purpose of this Code is to regulate and to control the sale, purchase, possession, and serving of liquor on the Southern Ute Indian Reservation in compliance with federal law. Only people issued a license under this Code may sell alcoholic beverages within the exterior boundaries of the Southern Ute Indian Reservation. This Code is an exercise of the regulatory powers of the Southern Ute Indian Tribal Council for the protection of the peace, safety, property, health, and general welfare of the Southern Ute Indian Tribe.

*26-1-102. Jurisdiction.* This Code applies to, and the Southern Ute Indian Tribe has jurisdiction over, any relevant act or transaction within the exterior boundaries of the Southern Ute Indian Reservation except to the extent that the exercise of that jurisdiction is prohibited by federal law. This Code does not address state jurisdiction, nor does it confer jurisdiction to the State of Colorado.

*26-1-103. Definitions.* As used in this Code, unless the context otherwise requires:

(1) “Alcoholic beverages” means fermented malt beverages or malt, wine, or spirits.

(2) “Code” means the Southern Ute Indian Tribal Liquor Code.

(3) “Days” means calendar days. In computing any period of time prescribed by the Code, the date of the act, event, or default from which the designated period of time begins to run shall not be included. Saturdays, Sundays, and federal and tribal holidays shall be counted as a calendar day.

(4) “Fairgrounds” means any premises owned by the Southern Ute Indian Tribe or other governmental entity with indoor and outdoor event space where events such as

fairs, powwows, flea markets, rodeo, amusements, and carnivals are held.

(5) “Ferment” or “fermentation” means the chemical process by which sugar is converted into alcohol.

(6) “Fermented malt beverage” means beer, malt liquor, and any other beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any similar product or any combination thereof in water, containing not less than one-half percent by volume.

(7) “Gaming Tavern” means a facility that permits or conducts gaming on the premises pursuant to a valid gaming license issued by the Southern Ute Gaming Commission.

(8) “Hotel” means any establishment with sleeping rooms and restaurant facilities for guests.

(9) “License” means a permit issued to a licensee to sell alcoholic beverages as provided by this Code.

(10) “Licensed premises” means the premises specified in an application for a license under this Code, which are owned or controlled by the licensee and within which the licensee is authorized to sell, dispense, or serve alcoholic beverages.

(11) “Location” means a particular parcel of land that may be identified by an address or by other descriptive means.

(12) “Meal” means a quantity of food that is consumed at regular intervals for the purpose of sustenance.

(13) “Optional premises” means the premises specified in an application for a hotel and restaurant license with related outdoor sports or recreational facilities for its guests or the general public, located on or adjacent to the hotel or restaurant premises, within which such licensee is authorized to sell or serve alcoholic beverages in accordance with the provisions of this Code and at the discretion of the Tribal Licensing Authority; or the premises specified in an application for an optional premises license located on an applicant’s outdoor sports or recreational facility.

(14) “Part”—Part numbers and titles are for code organization purposes only and do not need to be included in citations of the Code.

(15) “Person” means a natural person, partnership, association, company, corporation, or organization or a manager, agent, officer, or employee of any of them.

(16) “Premises” means a distinct and defined location, which may include a building, a part of a building, or a room, or any other definite contiguous area.

(17) “Racetrack” means premises where race meets or simulcast races with pari-mutuel wagering are held in accordance with the applicable law.

(18) “Restaurant” means:

(a) an establishment that has a sanitary kitchen, dining room, and persons to prepare, cook, and serve meals; and

(b) where, in exchange for payment, meals, drinks, tobaccos, and candies are furnished to guests and in which nothing is sold except for food, drinks, tobaccos, candies, and items of souvenir merchandise depicting the theme of the restaurant or the geographical or historic subjects of the nearby area.

(c) The term “restaurant” shall not include any establishment where business is conducted, except for: