

Port Charlotte, FL; 0.709 acres; TE136151-1; PER0028219; and,  
 • 1023 Bismarck Road, Property Identification Number 402309206002, Port Charlotte, FL; 0.459 acres; TE136153-1; PER0028220.

The applicant seeks authority to take Florida scrub-jays (*Aphelocoma coerulescens*) via destruction of the species' feeding, breeding, and sheltering habitat incidental to land preparation and construction in Charlotte County, Florida. The applicant's existing HCP provides measures to mitigate for the incidental take of the species, which was federally listed as threatened in 1987 (June 3, 1987; 52 FR 20719).

### Applicant's Proposed Projects

All four of the applicant's sites are zoned as single-family residential, so the development of each parcel would comprise the construction of a residential structure, driveway, installation of associated utilities and landscaping and possibly garages and pools. However, as the applicant currently has no timeframe for development or specific site plans, he is requesting his existing ITPs to be renewed for 10 more years, with each expiring on May 20, 2029. The applicant already has performed the required compensatory mitigation for impacts to the species by combining two 20-acre parcels (for which he had an assignable purchase contract) with adjacent parcels to form a 76-acre package of land that Charlotte County then acquired and is managing for scrub-jay conservation. The minimization measure of avoiding clearing the lot for construction during the scrub-jay nesting season (March 1 through June 30) cannot be implemented until construction is almost ready to begin. Other minimization measures involving the planting or retention of scrub oaks or other native vegetation cannot be implemented until clearing or construction is underway. Remaining minimization measures about providing information to subsequent buyers about Florida scrub-jays and the detrimental effects of free-roaming cats cannot be implemented until after the construction and sale of each new home is complete. None of the proposed activities have occurred, and there has been no incidental take of the covered species under the permits.

### 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

During our deliberations on whether to issue the existing ITPs, the Service determined that each of the applicant's projects, including the mitigation measures, individually and cumulatively would have minor or negligible effect on the species. Since none of the covered activities have occurred and the covered parcels have remained undeveloped, we have made the preliminary determination that each of these projects still would be "low effect" and qualify for categorical exclusions under the National Environmental Policy Act (NEPA; 42 U.S.C. 4321 *et seq.*).

### Next Steps

The Service will evaluate the application and the comments to determine whether to issue the requested renewals. 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 and permit renewal requirements in our regulations have been met. If met, the Service will issue the four ITP numbers referenced above to Peter C. Famulari.

### 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 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

**Robert L. Carey,**

*Division Manager, Environmental Review,  
Florida Ecological Services Office.*

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**BILLING CODE 4333-15-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS-R4-ES-2022-0049;  
FXES11130400000-223-FF04EF4000]

### Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand Skink and Blue-Tailed Mole Skink; Polk 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 the Polk County Board of County Commissioners (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed sand skink and blue-tailed mole skink incidental to the construction and operation of a fire rescue station in Polk 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 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 June 13, 2022.

### ADDRESSES:

**Obtaining Documents:** You may obtain copies of the documents online in Docket No. FWS-R4-ES-2022-0049 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-2022-0049.

- **U.S. mail:** Public Comments Processing, Attn: Docket No. FWS-R4-ES-2022-0049; U.S. Fish and Wildlife Service, MS: JAO/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

### FOR FURTHER INFORMATION CONTACT:

Alfredo Begazo, by U.S. mail (see **ADDRESSES**), or via phone at 772-469-4234. 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 the Polk County Board of Commissioners (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) incidental to the construction and operation of a fire rescue station in Polk County, Florida. We request public comment on the application, which includes the applicant's HCP, and on 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

The applicant requests a 5-year ITP to take skinks via the conversion of approximately 0.46 acres (ac) of occupied nesting, foraging, and sheltering skink habitat incidental to the construction and operation of a fire rescue station on a 4.74-ac parcel in Section 13, Township 29 South, Range 27 East, Polk County, Florida. The applicant proposes to mitigate for take of the skinks by purchasing credits equivalent to 0.92 ac of skink-occupied habitat from a Service-approved conservation bank. The Service would require the applicant to purchase the credits prior to engaging in any phase of 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 the construction of a small building, a driveway, parking space, green areas, storm water pond,

and associated infrastructure (*e.g.*, electric, water, and sewer lines)—would individually and cumulatively have a minor or negligible effect on the 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 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 result in significant cumulative effects to environmental values or resources over time.

### Next Steps

The Service will evaluate the application and the comments 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 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 PER 0034629 to the Polk County Board of Commissioners.

### Authority

The Service provides this notice under section 10(c) of the ESA (16 U.S.C. 1531 *et seq.*) and its implementing regulations (50 CFR 17.32) and NEPA (42 U.S.C. 4321 *et seq.*) and its implementing regulations (40 CFR 1506.6 and 43 CFR 46.305).

**Robert L. Carey,**

*Division Manager, Environmental Review, Florida Ecological Services Office.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[Docket No. FWS–R4–ES–2022–0047; FXES11130400000–223–FF04EF4000]

### Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Sand 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 Kurly Key Properties, LLC (dba KB Home Orlando, LLC/Hills at Mt. Dora) (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 the construction of a residential development 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 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 June 13, 2022.

### ADDRESSES:

**Obtaining Documents:** You may obtain copies of the documents online in Docket No. FWS–R4–ES–2022–0047 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 any of the following methods:

- **Online:** <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS–R4–ES–2022–0047.

- **U.S. mail:** Public Comments Processing, Attn: Docket No. FWS–R4–ES–2022–0047; U.S. Fish and Wildlife Service, MS: JAO/3W, 5275 Leesburg Pike, Falls Church, VA 22041–3803.

**FOR FURTHER INFORMATION CONTACT:** Erin M. Gawera, by U.S. mail (see **ADDRESSES**) or via phone at 904–731–3121. 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 Kurly Key Properties, LLC (dba KB Home Orlando, 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