

prescribed fires within Boot Canyon. The absence of wildfire in Boot Canyon has resulted in the accumulation of leaf litter and small-diameter trees, which increases the risk of a much more intense wildfire that would potentially be catastrophic to the vegetation within the Chisos Mountains and to the Guadalupe fescue population there. For these reasons, reducing fuel loads in the Chisos Mountains and conducting small-scale experimental prescribed burns in collaboration with personnel of Big Bend National Park are high priority recovery actions.

Horehound (*Marrubium vulgare*), King Ranch bluestem (*Bothriochloa ischaemum*), and other invasive plant species potentially threaten Guadalupe fescue through competition for water, nutrients, and light. The 2008 candidate conservation agreement calls for periodic monitoring of the Guadalupe fescue population and control of invasive species, and Big Bend National Park has also proposed a programmatic management plan to carefully monitor and control invasive species in the Chisos Mountains. Therefore, the magnitude of this threat is currently low within the Boot Canyon population. We have no information on introduced invasive species in the known Mexican sites or their impacts on Guadalupe fescue (Service 2016).

In general, the physical clustering of numerous genetically diverse plants in close proximity is necessary for effective fertilization, out-crossing, seed production, and the maintenance of genetically diverse populations. However, considering the small population size and low population density of the Chisos Mountains site, this population is very likely to be highly inbred as a result of extensive self-fertilization. Currently, we cannot project what the net results of beneficial and detrimental effects of climate changes will be (Service 2016).

Recovery Plan Goals

The objective of a recovery plan is to provide a framework for the recovery of a species so that protection under the ESA is no longer necessary. A recovery plan includes scientific information about the species and provides objective and measurable criteria and site-specific management actions necessary for us to be able to reclassify the species to threatened status or remove it from the lists of endangered and threatened wildlife and plants. Recovery plans help guide our recovery efforts by describing actions we consider necessary for the species' conservation, and by estimating time and costs for implementing needed recovery measures.

The primary objectives of this recovery plan are to: (1) Increase population resilience by managing habitats to promote population growth, and controlled propagation to augment population sizes to attain and sustain minimum viable population (MVP) levels within each population or metapopulation; (2) increase species redundancy through searches for undiscovered populations in areas of potential habitat, and through propagation and reintroduction into potential habitats; and (3) sustain species representation through conservation of populations throughout the species' range, and investigate the potential benefits and risks of genetic augmentation of extant populations. The recovery plan provides objective, measurable recovery criteria aimed at managing or eliminating threats to meet the goal of delisting Guadalupe fescue. These recovery criteria are based on the conservation of habitat, natural recruitment of new individuals, their growth to maturity, and the increase of populations to a viable level that is sustained without further human intervention (other than appropriate habitat management). The time frame required to assess the species viability trends of Guadalupe fescue is influenced largely by its life history and climate cycles.

Site specific management actions include: Investigating changes in wildfire frequency and evaluating the response of Guadalupe fescue to prescribed burns; monitoring and management of introduced invasive plants; public education and management of sensitive habitat in recreational areas of Boot Canyon; preventing grazing from pack animals and livestock in Boot Canyon; improving knowledge of the species' abundance, distribution and demographic trends in known populations and surveying other potential habitats in Texas and Mexico; investigating gene flow, genetic diversity and conservation genetics; developing a propagation and reintroduction program; and investigating responses to climate factors and projecting future responses of known populations to climate changes.

Request for Public Comments

Section 4(f) of the ESA requires us to provide public notice and an opportunity for public review and comment during recovery plan development. It is also our policy to request peer review of recovery plans (July 1, 1994; 59 FR 34270). In an appendix to the approved recovery plan,

we will summarize and respond to the issues raised by the public and peer reviewers. Substantive comments may or may not result in changes to the recovery plan; comments regarding recovery plan implementation will be forwarded as appropriate to Federal or other entities so that they can be taken into account during the course of implementing recovery actions. Responses to individual commenters will not be provided, but we will provide a summary of how we addressed substantive comments in an appendix to the approved recovery plan.

We invite written comments on the draft recovery plan. In particular, we are interested in additional information regarding the current threats to the species and the implementation of the recommended recovery actions.

Public Availability of Comments

All comments received, including names and addresses, will become part of the administrative record and will be available to the public. 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. If you submit a hardcopy comment that includes personal identifying information, 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.

Authority

We developed our draft recovery plan and publish this notice under the authority of section 4(f) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Amy L. Lueders,

*Regional Director, Interior Region 6,
Albuquerque, New Mexico.*

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

**[Docket No. FWS-R4-ES-2021-0038;
FXES11140400000-212-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 comment and information.

SUMMARY: We, the Fish and Wildlife Service (Service), announce receipt of an application from TSG Development, Inc. (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 Lake 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 June 7, 2021.

ADDRESSES: *Obtaining Documents:* You may obtain copies of the documents online in Docket No. FWS-R4-ES-2021-0038 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-2021-0038.

- *U.S. mail:* Public Comments Processing, Attn: Docket No. FWS-R4-ES-2021-0038; 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 (Service), announce receipt of an application from TSG Development, Inc. 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 an industrial warehouse complex (project) 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 (NEPA; 42 U.S.C. 4231 *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 sand skinks through the conversion of approximately 14.5 acres (ac) of occupied sand skink foraging and sheltering habitat incidental to the construction of an industrial warehouse complex located on a 36.51-ac parcel in Section 26; Township 22 South; Range 26 East, Lake County, Florida, identified by Parcel ID numbers 09-22-26-1100-041-00001 and 09-22-26-1100-055-00001. The applicant proposes to mitigate for take of the sand skinks by the purchase of 29.0 credits from Lake Wales Ridge Conservation Bank or another Service-approved Conservation Bank. The Service would require the applicant to purchase the credits prior to engaging in activities associated with the project 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, infrastructure building, landscaping, and the proposed mitigation measures, 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 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 reasonably 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 PER0002663 to TSG Development, Inc.

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).

Jay Herrington,

Field Supervisor, Jacksonville Field Office.

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DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[212A2100DD/AAKC001030/
AOA501010.999900]

HEARTH Act Approval of Confederated Tribes of the Colville Reservation

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Indian Affairs (BIA) approved the Confederated Tribes of the Colville Reservation (Tribe) leasing regulations under the Helping Expedite and Advance Responsible Tribal Homeownership Act of 2012 (HEARTH Act). With this approval, the Tribe is authorized to enter into business leases without further BIA approval.

DATES: BIA issued the approval on May 3, 2021.

FOR FURTHER INFORMATION CONTACT: Ms. Sharlene Round Face, Bureau of Indian Affairs, Division of Real Estate Services, sharelene.roundface@bia.gov, (505) 563-3132.

SUPPLEMENTARY INFORMATION:

I. Summary of the HEARTH Act

The HEARTH Act makes a voluntary, alternative land leasing process available to Tribes, by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. 415. The HEARTH Act