



DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS-R4-ES-2026-0199; FXES11140400000-267-FF04EF4000]

Receipt of Incidental Take Permit Application and Proposed Habitat Conservation Plan for the Alabama beach mouse; Baldwin County, AL; Categorical Exclusion

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comment.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), announce receipt of an application from Stillwater Capital Assets, LLC (applicant) for an incidental take permit (ITP) under the Endangered Species Act. The applicant requests the ITP to take the federally listed threatened Alabama beach mouse incidental to the construction of a single-family home in Baldwin County, Alabama. We request public comment on the application, which includes the applicant's proposed habitat conservation plans (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, both of which are also 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 [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

To ensure your comment is received and considered, you must submit it using one of the methods identified in the **ADDRESSES** section of this document. Comments submitted through any method not authorized in this document, or sent to an address not

listed here, will not be considered.

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-2026-0199 at <https://www.regulations.gov>.

Submitting Comments: All submissions must include the docket number [FWS-R4-ES-2026-0199] for this document. You must submit comments using one of the following methods:

- Online: <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R4-ES-2026-0199.
- U.S. mail: Public Comments Processing, Attn: Docket No. FWS-R4-ES-2026-0199; U.S. Fish and Wildlife Service, MS: PRB/3W, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

Comments submitted through any method not authorized in this document, or sent to an address not listed here, will not be considered. We will not accept comments via email, fax, or hand delivery. We are not required to consider comments that are submitted after the comment period ends or that are submitted via a method outside of these instructions. Comments containing profanity, vulgarity, threats, or other inappropriate content will not be considered.

FOR FURTHER INFORMATION CONTACT: Erin Lentz, by U.S. mail (see **ADDRESSES**), by telephone at 1-251-298-3853, or via email at erin_lentz@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 Stillwater Capital Assets 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 Alabama beach mouse (ABM; *Peromyscus polionotus ammobates*), incidental to the construction, maintenance and operation of a single-family home in Baldwin County, Alabama. 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 National Environmental Policy Act regulations (NEPA; 42 U.S.C. 4321 et seq), the DOI's NEPA regulations (43 CFR 46), and the DOI's Departmental Manual (DM; 516 DM 8.5(C)(2)). To make this preliminary determination, we prepared a draft screening form and NEPA statement for HCPs, both of which are also available for public review.

Proposed Project

Stillwater Capital Assets LLC (applicant) requests a 50-year ITP to take ABM via the conversion of 0.05 acres (ac) of occupied nesting, foraging, and sheltering ABM habitat incidental to the construction of a single-family home on a 0.381-ac parcel located at 11068 Mobile Street West, Gulf Shores, Alabama. The applicant proposes to mitigate for the take of ABM through an in-lieu fee of \$4,813.90 to the Alabama Coastal Heritage Fund.

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 single-family home and infrastructure (e.g., deck, pool, stairs, and driveway), would have a minor effect on ABM 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 5.8(C)(2)), pursuant to NEPA, the DOI's NEPA regulations, and the DOI DM. A low-effect ITP is one that would result in (1) negligible or minor effects on species covered in the HCP; (2) no significant effects 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 PER23578321 to Stillwater Capital Assets, LLC.

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).

Jeffrey Powell,
Acting Field Supervisor,
Alabama Ecological Services Field Office,
U.S. Fish and Wildlife Service.

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