

data elements (ACAS data) at the earliest point practicable prior to loading of the cargo onto the aircraft destined to or transiting through the United States. The ACAS data is used to target high-risk air cargo. CBP is considering possible amendments to the regulations regarding advance information for air cargo. The results of the ACAS pilot will help determine the relevant data elements, the time frame within which data must be submitted to permit CBP to effectively target, identify and mitigate any risk with the least impact practicable on trade operations, and any other related procedures and policies.

#### Extension of the ACAS Pilot Period and Reopening of the Application Period

The October 2012 notice announced that the ACAS pilot would run for six months. The notice provided that if CBP determined that the pilot period should be extended, CBP would publish another notice in the **Federal Register**. The October 2012 notice also stated that applications from new ACAS pilot participants would be accepted until November 23, 2012. On December 26, 2012, CBP published a notice in the **Federal Register** reopening the application period for new participants until January 10, 2013 (77 FR 76064, corrected in 78 FR 315<sup>2</sup>). Although there has been a significant increase in the diversity and number of pilot participants representing a strong sample size of the air cargo community, CBP continues to receive a number of requests to participate in the pilot. In order to ensure that the broader air cargo community has a sufficient opportunity to participate in the ACAS pilot and to prepare for possible proposed regulatory changes, CBP is extending the ACAS pilot period through October 26, 2013, and reopening the application period through May 23, 2013.

Anyone interested in participating in the ACAS pilot should refer to the notice published in the **Federal Register** on October 24, 2012, for additional application information and eligibility requirements

Dated: April 18, 2013.

#### David Murphy,

Acting Assistant Commissioner, Office of Field Operations.

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<sup>2</sup> The **Federal Register**, published on January 3, 2013, corrected the date of the close of the reopened application period from "January 8, 2013" to "January 10, 2013".

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R6-ES-2013-N092;  
FXES1113060000D2-123-FF06E00000]

#### Endangered and Threatened Wildlife and Plants; Recovery Permit Applications

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following application to conduct certain activities with endangered or threatened species. With some exceptions, the Endangered Species Act of 1973, as amended (Act), prohibits activities with endangered and threatened species unless a Federal permit allows such activity. The Act requires that we invite public comment before issuing these permits.

**DATES:** To ensure consideration, please send your written comments by May 23, 2013.

**ADDRESSES:** You may submit comments or requests for copies or more information by any of the following methods. Alternatively, you may use one of the following methods to request hard copies or a CD-ROM of the documents. Please specify the permit you are interested in by number (e.g., Permit No. TE-106182).

- *Email:* [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov).

Please refer to the respective permit number (e.g., Permit No. TE-106182) in the subject line of the message.

- *U.S. Mail:* Ecological Services, U.S. Fish and Wildlife Service, P.O. Box 25486-DFC, Denver, CO 80225

- *In-Person Drop-Off, Viewing, or Pickup:* Call (303) 236-4212 to make an appointment during regular business hours at 134 Union Blvd., Suite 645, Lakewood, CO 80228.

#### FOR FURTHER INFORMATION CONTACT:

Kathy Konishi, Permit Coordinator Ecological Services, (303) 236-4212 (phone); [permitsR6ES@fws.gov](mailto:permitsR6ES@fws.gov) (email).

#### SUPPLEMENTARY INFORMATION:

#### Background

The Act (16 U.S.C. 1531 *et seq.*) prohibits activities with endangered and threatened species unless a Federal permit allows such activity. Along with our implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR 17, the Act provides for permits, and requires that we invite public comment before issuing these permits.

A permit granted by us under section 10(a)(1)(A) of the Act authorizes you to

conduct activities with United States endangered or threatened species for scientific purposes, enhancement of propagation or survival, or interstate commerce (the latter only in the event that it facilitates scientific purposes or enhancement of propagation or survival). Our regulations implementing section 10(a)(1)(A) for these permits are found at 50 CFR 17.22 for endangered wildlife species, 50 CFR 17.32 for threatened wildlife species, 50 CFR 17.62 for endangered plant species, and 50 CFR 17.72 for threatened plant species.

#### Application Available for Review and Comment

We invite local, State, and Federal agencies, and the public to comment on the following application. Documents and other information the applicant has submitted are available for review, subject to the requirements of the Privacy Act (5 U.S.C. 552a) and Freedom of Information Act (5 U.S.C. 552).

#### Permit Application Number: TE-106182

*Applicant:* Denver Botanic Gardens, Inc., 909 York St., Department of Research and Conservation, Denver, CO 80206

The applicant requests an amendment to an existing permit to take (hold, propagate, and display) clay-loving wild buckwheat (*Eriogonum pelinophilum*), Knowlton's cactus (*Pediocactus knowltonii*), Mancos milk-vetch (*Astragalus humillimus*), North Park phacelia (*Phacelia formosula*), Osterhout milkvetch (*Astragalus osterhoutii*), Pagosa skyrocket (*Ipomopsis polyantha*), Penland beardtongue (*Penstemon penlandii*), and San Rafael cactus (*Pediocactus despainii*) under permit TE-106182 for the purpose of enhancing the species' survival.

#### National Environmental Policy Act

In compliance with the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), we have made an initial determination that the proposed activities in this permit are categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement (516 DM 6 Appendix 1, 1.4C(1)).

#### Public Availability of Comments

All comments and materials we receive in response to this request will be available for public inspection, by appointment, during normal business hours at the address listed in the **ADDRESSES** section of this notice.

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 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 of the Act (16 U.S.C. 1531 *et seq.*)

Dated: April 17, 2013.

**Michael G. Thabault,**

*Assistant Regional Director, Mountain-Prairie Region.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R6-ES-2013-N017;  
FXES1113060000-134-FF06E00000]

#### Endangered and Threatened Wildlife and Plants; Black-Footed Ferret Draft Recovery Plan

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

**ACTION:** Notice of document availability for review and comment.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces the availability of a draft recovery plan for the black-footed ferret (*Mustela nigripes*). This species is federally listed as endangered under the Endangered Species Act of 1973, as amended (Act). The Service solicits review and comment from the public on this draft revised plan.

**DATES:** Comments on the draft revised recovery plan must be received on or before June 24, 2013.

**ADDRESSES:** Copies of the draft revised recovery plan are available by request from the National Black-Footed Ferret Conservation Center, U.S. Fish and Wildlife Service, P.O. Box 190, Wellington, CO 80549; telephone: 970-897-2730. Submit comments on the draft recovery plan to the Recovery Coordinator at this same address. An electronic copy of the draft recovery plan is available at <http://www.fws.gov/endangered/species/recovery-plans.html>.

**FOR FURTHER INFORMATION CONTACT:** Recovery Coordinator, at the above address, or telephone 970-897-2730.

#### SUPPLEMENTARY INFORMATION:

##### Background

Restoring an endangered or threatened animal or plant to the point where it is again a secure, self-sustaining member of its ecosystem is a primary goal of the Service's endangered species program. To help guide the recovery effort, the Service prepares recovery plans for the federally listed species native to the United States where a plan will promote the conservation of the species. Recovery plans describe site-specific actions necessary for the conservation of the species; establish objective, measurable criteria which, when met, would result in a determination that the species no longer needs the protection of the Act (16 U.S.C. 1531 *et seq.*); and provide estimates of the time and cost for implementing the needed recovery measures.

The Act requires recovery plans for listed species unless such a plan would not promote the conservation of a particular species. The original plan for the species was approved in 1978. The recovery plan was revised in 1988.

Section 4(f) of the Act requires that public notice and opportunity for public review and comment be provided during recovery plan development. The Service will consider all information received during a public comment period when preparing each new or revised recovery plan for approval. The Service and other Federal agencies also will take these comments into consideration in the course of implementing approved recovery plans. It is our policy to request peer review of recovery plans. We will summarize and respond to the issues raised by the public and peer reviewers in an appendix to the approved recovery plan.

The black-footed ferret (*Mustela nigripes*) was historically found throughout the Great Plains, mountain basins, and semi-arid grasslands of North America wherever prairie dogs occurred. The species was listed as endangered in 1967 (32 FR 4001; March 11, 1967) under the Endangered Species Preservation Act of 1966 and again in 1970 under the Endangered Species Conservation Act of 1969 (35 FR 8491; June 2, 1970). On January 4, 1974, the black-footed ferret was listed under the Endangered Species Act of 1973 (39 FR 1171). The ferret's close association with prairie dogs was an important factor in the ferret's decline. From the late 1800s to approximately the 1960s, prairie dog-occupied habitat and prairie dog numbers were dramatically reduced by the effects of both temporal and permanent habitat loss caused by

conversion of native grasslands to cropland, and poisoning and disease. The ferret population declined precipitously as a result.

The recovery of the black-footed ferret will be achieved by establishing a number of ferret populations where appropriate habitat exists and by ameliorating threats impacting the species so as to allow the ferret's persistence. Although ferret habitat has been dramatically reduced from historical times, a sufficient amount remains, if its quality and configuration is appropriately managed. This management, for the most part, is likely to be conducted by State, Tribal, and Federal fish and wildlife and land management agencies. Additionally, private parties, including landowners and conservation organizations, are key for ferret recovery. Many partners contributing to ferret recovery in many places will help minimize the risk of loss of wild populations.

Specifically, recovery of black-footed ferrets will depend upon: (1) Continued efforts of captive breeding facilities to provide suitable animals for release into the wild; (2) conservation of prairie dog habitat adequate to sustain ferrets in several populations distributed throughout their historical range; and (3) management of sylvatic plague. The single, most feasible action that would benefit black-footed ferret recovery is to improve prairie dog conservation. If efforts are undertaken to more proactively manage existing prairie dog habitat for ferret recovery, all other threats to the species will be substantially less difficult to address. Downlisting of the black-footed ferret could be accomplished in approximately 10 years if conservation actions continue at existing reintroduction sites and if additional reintroduction sites are established. Delisting will be possible if more intensive reintroduction efforts are conducted of the black-footed ferret.

#### Request for Public Comments

The Service solicits public comments on the draft revised recovery plan. All comments received by the date specified in **DATES** will be considered prior to approval of the plan. Written comments and materials regarding the plan should be addressed to the Recovery Coordinator (see **ADDRESSES** section). Comments and materials we receive, as well as supporting documentation we used in preparing this draft revised recovery plan will be available, by appointment, for public inspection during normal business hours at the above address. If you submit a comment that includes personal identifying