

The ESA requires recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the ESA, as amended in 1988, 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 Kendall Warm Springs dace (*Rhinichthys osculus thermalis*), found only in one location in western Wyoming, was first listed as endangered in 1970 under the Endangered Species Preservation Act of 1966 (80 Stat. 926; 16 U.S.C. 668aa(c)). It was later grandfathered into the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*). At the time of listing, the species was threatened by habitat destruction and modification, overexploitation, and limited distribution. Since the time of its listing, many recovery actions have been implemented, including taxonomic research, protection of habitat, cessation of the species' use as baitfish, and prohibitions against certain forms of mineral development. However, Kendall Warm Springs dace population estimates appear to be trending downward over the last decade. In addition, this fish remains vulnerable to some high-level threats. These include vulnerability to habitat changes from oil and gas development and potential competition and/or disease from the introduction of exotic species.

The recovery of the Kendall Warm Springs dace will depend on effective conservation responses to the varied and complex issues facing the species. These issues include limited distribution, exotic species, grazing, hydrologic changes, invasive plants, pollution, and energy resource exploration and development. Strategically, these issues can be reduced to two overriding concerns: potentially devastating effects from natural resource extraction and exotic species introductions. The recovery strategy for the Kendall Warm Springs dace focuses on the need to address vulnerability due to limited distribution; refugia populations; regulatory mechanisms; protecting habitat quality through a program that

encompasses threats abatement; and population management, research, and monitoring. We emphasize the (1) incorporation of protective measures into land use plans; (2) protection of the spring's recharge zone; (3) establishment of two captive refugia populations; and (4) monitoring and managing population levels, genetics, and habitat conditions.

#### Request for Public Comments

The Service solicits public comments on the draft 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 Field Supervisor (see **ADDRESSES** section). Comments and materials received will be available, by appointment, for public inspection during normal business hours at the above address.

#### Authority

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: December 4, 2012.

Noreen E. Walsh,

Regional Director, Denver, Colorado.

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R2-ES-2012-N291; 20124-1113-0000-C2]

#### Endangered and Threatened Wildlife and Plants; Draft Recovery Plan for the Gulf Coast Jaguarundi

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce the availability of our draft recovery plan for the Gulf Coast jaguarundi (*Puma yagouaroundi cacomitli*) under the Endangered Species Act of 1973, as amended (Act). This species historically occurred in southern Texas in the United States and is currently known to occur in eastern Mexico as far south as Veracruz. We request review and comment on our plan from local, State, and Federal agencies, and the public. We will also accept any new information on the status of the Gulf Coast jaguarundi throughout its range to assist in finalizing the recovery plan.

**DATES:** To ensure consideration, we must receive written comments on or

before February 22, 2013. However, we will accept information about any species at any time.

**ADDRESSES:** If you wish to review the draft recovery plan, you may obtain a copy by visiting our Web site at <http://www.fws.gov/endangered/species/recovery-plans.html>. Alternatively, you may contact the South Texas Refuges Complex Headquarters at 3325 Green Jay Road, Alamo, Texas, or by phone at (956) 784-7500. If you wish to comment on the plan, you may submit your comments in writing by any one of the following methods:

- *U.S. mail:* Mitch Sternberg, at the above address;
- *Hand-delivery:* South Texas Refuges Complex Headquarters at the above address;
- *Fax:* (956) 787-8338; or
- *Email:* [Mitch\\_Sternberg@fws.gov](mailto:Mitch_Sternberg@fws.gov).

For additional information about submitting comments, see the "Request for Public Comments" section below.

**FOR FURTHER INFORMATION CONTACT:** Mitch Sternberg at the above address, phone number, or email.

#### SUPPLEMENTARY INFORMATION:

#### Background

Recovery of endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of our endangered species program and the Act (16 U.S.C. 1531 *et seq.*). Recovery means improvement of the status of listed species to the point at which listing is no longer appropriate under the criteria set out in section 4(a)(1) of the Act. The Act requires the development of recovery plans for listed species, unless such a plan would not promote the conservation of a particular species.

#### Species' History

We listed the Gulf Coast jaguarundi as an endangered species under the Act on June 14, 1976 (41 FR 24062). The Listed Cats of Texas and Arizona Recovery Plan (With Emphasis on the Ocelot), was completed in 1990 and it briefly addressed the jaguar, jaguarundi, and margay, but focused on the ocelot, primarily in Texas. The Draft Gulf Coast Jaguarundi Recovery Plan only applies to the Gulf Coast subspecies of jaguarundi.

The jaguarundi was originally included in the genus *Felis*, and the Gulf Coast jaguarundi was originally listed under the Act as *Felis yagouaroundi cacomitli* in 1976. Later, genus classification was changed from *Felis* to *Herpailurus*, and this widely accepted change was subsequently

made to the listing. Thus, this subspecies is currently listed under the Act as *Herpailurus (=Felis) yagouarundi cacomitli*. However, more recent genetic work assigns the jaguarundi to the genus *Puma*, and this has become the generally accepted nomenclature. Therefore, in keeping with this current information, we refer to the Gulf Coast jaguarundi subspecies as *Puma yagouarundi cacomitli* throughout this recovery plan, and we officially accept the new scientific name of the jaguarundi as *Puma yagouarundi*.

The Sinaloan jaguarundi (*Puma yagouarundi tolteca*) was originally listed under the Act at the same time as the Gulf Coast subspecies. Because all of the current information indicates that the *tolteca* subspecies occurs entirely outside the United States and has never been confirmed within the United States, the Sinaloan jaguarundi was exempted from recovery planning on June 7, 2011.

The Gulf Coast jaguarundi is found in the Tamaulipan Biotic Province of northeast Mexico and south Texas. Within Mexico it occurs in the eastern lowlands and has not been recorded in the Central Highlands. In southern Texas, jaguarundis used dense thorny shrublands. Jaguarundis will use bunchgrass pastures if dense brush or woody cover is nearby.

The primary known threats to the Gulf Coast jaguarundi are habitat destruction, degradation, and fragmentation associated with agriculture and urbanization, and, to some extent, border security activities. Mortality from collisions with vehicles is also a threat.

#### Recovery Plan Goals

The objective of an agency recovery plan is to provide a framework for the recovery of a species so that protection under the Act is no longer necessary. A recovery plan includes scientific information about the species and provides criteria and actions necessary for us to be able to reclassify the species to threatened status or remove it from the Federal List of Endangered and Threatened Wildlife and Plants (List). 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. To achieve its goals, this draft recovery plan identifies the following objectives:

- Support efforts to develop more effective survey techniques for jaguarundis and to ascertain the status, better understand ecological and

conservation needs, and promote conservation of the Gulf Coast jaguarundi and its habitats.

- Assess, protect, and restore sufficient habitat and connectivity to support viable populations and genetic exchange of the Gulf Coast jaguarundi in southern Texas and in Mexico.

- Reduce the effects of human population growth and development on potential Gulf Coast jaguarundi habitat in the United States and on the jaguarundi's potential survival and mortality.

- Assure the long-term viability of jaguarundi conservation through partnerships, the development and application of incentives for landowners, application of existing regulations, and public education and outreach.

- Practice adaptive management in which recovery is monitored and recovery tasks are revised by the FWS as new information becomes available.

The draft revised recovery plan contains recovery criteria based on maintaining and increasing population numbers and habitat quality and quantity. The revised recovery plan focuses on protecting populations, managing threats, maintaining habitat, monitoring progress, and building partnerships to facilitate recovery.

As the subspecies meets recovery criteria, we will review the subspecies' status and consider removal from the List.

#### Request for Public Comments

Section 4(f) of the Act 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. This plan incorporates the most recent scientific research specific to the Gulf Coast jaguarundi. In particular, we are interested in information regarding the

current threats to the species and the costs associated with implementing the recommended recovery actions.

Before we approve the plan, we will consider all comments we receive by the date specified in **DATES** above. Methods of submitting comments are in the **ADDRESSES** section above.

#### Public Availability of Comments

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.

Comments and materials we receive will be available, by appointment, for public inspection during normal business hours at our office (see **ADDRESSES**).

#### 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.).

Dated: December 10, 2012.

**Benjamin Tuggle,**

*Regional Director, Southwest Region.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[CACA-051552, LLCAD0700 L51010000 FX0000 LVRWB10B3980]

#### Notice of Availability of a Proposed Land Use Plan Amendment and Final Environmental Impact Statement for the Proposed McCoy Solar Energy Project, CA

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) has prepared a proposed California Desert Conservation Area (CDCA) plan amendment and final environmental impact statement (EIS) for the McCoy Solar Energy Project (project)—a photovoltaic solar electricity generation