

activities with endangered or threatened species for scientific purposes that promote recovery or for enhancement of propagation or survival of the species. These activities often include such prohibited actions as capture and collection. Our regulations implementing section 10(a)(1)(A) for these permits are found in the Code of Federal Regulations (CFR) 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.

Permit Application Available for Review and Comment

Proposed activities in the following permit request are for the recovery and enhancement of propagation or survival of the species in the wild. The ESA

requires that we invite public comment before issuing this permit. Accordingly, we invite local, State, Tribal, and Federal agencies and the public to submit written data, views, or arguments with respect to this application. The comments and recommendations that will be most useful and likely to influence agency decisions are those supported by quantitative information or studies.

Application No.	Applicant, city, state	Species	Location	Take activity	Permit action
ES09155B	University of Washington, Seattle, WA.	Mariana crow (<i>Corvus kubaryi</i>).	Island of Rota, Commonwealth of the Northern Mariana Islands.	Harass by survey, monitor, capture, band, collect morphometrics, bio-sample, radio-tag, conduct playback surveys, record calls, and salvage.	Renew and amend.

Public Availability of Comments

Written comments we receive become part of the administrative record associated with this action. 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 request in your comment that we withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. 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.

Next Steps

If we decide to issue an amended permit to the applicant listed in this notice, we will publish a notice in the **Federal Register**.

Authority

We publish this notice under section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Marilet A. Zablan,

Regional Program Manager for Restoration and Endangered Species Classification, Pacific Region.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R2-ES-2022-N205;
FXES1113020000-234-FF02ENEH00]

Application for an Enhancement of Survival Permit; N.M. Ranch Properties, Inc (Armendaris Ranch) Bolson Tortoise Safe Harbor Agreement; Socorro and Sierra Counties, New Mexico

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability; request for comments.

SUMMARY: We, the U.S. Fish and Wildlife Service (Service), have prepared a draft environmental assessment (EA) on the proposed *N.M. Ranch Properties, Inc. (Armendaris Ranch) Bolson Tortoise Safe Harbor Agreement* (SHA) in Socorro and Sierra Counties, New Mexico. New Mexico Ranch Properties, Inc (applicant) submitted the SHA in support of an application for an enhancement of survival permit (permit) under the Endangered Species Act. If approved, the requested permit would authorize incidental take of the Bolson tortoise that would allow a return to the baseline population condition (*i.e.*, zero free ranging tortoises/zero baseline) at the conclusion of the permit or sooner. Conservation and management activities for the Bolson tortoise are integral to meeting the SHA's net conservation benefit standard as well as ongoing and future activities on the enrolled property during the 50-year permit term. With this notice, we announce the availability for public comment of the SHA application, as well as the draft environmental assessment (EA), which

has been prepared in accordance with the requirements of the National Environmental Policy Act (NEPA).

DATES: We will accept comments received on or before March 13, 2023.

ADDRESSES: *Obtaining documents:* You may obtain copies of the SHA, draft EA, or other related documents on the internet at <https://www.fws.gov/office/new-mexico-ecological-services>.

Submitting comments: You may submit written comments by email to nmesfo@fws.gov. Please note which document(s) your comment references. For more information, see Public Availability of Comments.

FOR FURTHER INFORMATION CONTACT: Shawn Sartorius, Field Supervisor, U.S. Fish and Wildlife Service, Albuquerque, New Mexico, Ecological Services Office; telephone (505) 346-2525 or (800) 299-0196. 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 U.S. Fish and Wildlife Service (Service), make available for public review the *N.M. Ranch Properties, Inc. (Armendaris Ranch) Bolson Tortoise Safe Harbor Agreement* (SHA) in Socorro and Sierra Counties, New Mexico, and associated draft environmental assessment (EA). N.M. Ranch Properties, Inc. (applicant) has applied for an enhancement of survival permit (permit) supported by the proposed SHA. If approved, the requested 50-year permit would authorize incidental take of the Bolson

tortoise (*Gopherus flavomarginatus*; tortoise), which is federally listed as endangered under the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*). The permit would authorize incidental take of the tortoise resulting from conservation and management activities for the species that are integral to meeting the SHA net conservation benefit standard, as well as ongoing and future activities on the enrolled property during the permit term, and a return of the property to its baseline condition.

Background

Section 9 of the ESA and our implementing regulations at 50 CFR part 17 prohibit the “take” of fish or wildlife species listed as endangered or threatened. Take is defined under the ESA as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect listed animal species, or to attempt to engage in such conduct” (16 U.S.C. 1538(19)). However, under section 10(a) of the ESA, we may issue permits to authorize incidental take of listed species. “Incidental take” is defined by the ESA as take that is incidental to, and not the purpose of, carrying out an otherwise lawful activity.

Regulations governing such take of endangered and threatened species are found at 50 CFR 17.21–22 and 50 CFR 17.31–32, respectively.

National Environmental Policy Act Compliance

In accordance with the requirements of the National Environmental Policy Act of 1969 (NEPA; 42 U.S.C. 4321 *et seq.*), we advise the public that:

1. We have prepared a draft environmental assessment (EA) to evaluate the SHA and potential permit issuance. We are accepting comments on the SHA and draft EA.
2. The applicant and the Service have developed an SHA, which describes the measures the applicant has volunteered to take to meet the issuance criteria for a 10(a)(1)(A) permit associated with the SHA. The issuance criteria are found at 50 CFR 17.22(c)(1) and 50 CFR 17.32(c)(1).
3. The SHA would be implemented by the applicant and would remain effective until the expiration of the SHA.
4. As described in the SHA, the potential incidental take of the tortoise could result from otherwise lawful, activities covered by the SHA.

Proposed Action

The proposed action involves the issuance of a 10(a)(1)(A) enhancement

of survival permit (permit) to N.M. Ranch Properties, Inc. (applicant) in association with the *N.M. Ranch Properties, Inc. (Armendaris Ranch) Bolson Tortoise Safe Harbor Agreement* (SHA) in Socorro and Sierra Counties, New Mexico. The Bolson tortoise (*Gopherus flavomarginatus*; tortoise) was listed as endangered under the ESA on April 17, 1979 (44 FR 23062 23064), as a species native to Mexico and foreign to the United States. The tortoise was listed as a CITES Appendix II species on July 1, 1975 and elevated to Appendix I on June 28, 1979. The critically imperiled tortoise is not known to have inhabited New Mexico since European colonization. It was widely distributed across the southwestern United States after the Pleistocene glaciation and likely overlapped with Native American peoples.

The purpose of the proposed SHA is to implement population restoration activities for the tortoise through the release of captive-raised tortoises on the Armendaris Ranch in southern New Mexico. The tortoises to be released are part of an ongoing captive breeding program begun, in 2006, by the Turner Endangered Species Fund and located on Ted Turner’s Armendaris Ranch in Sierra and Socorro Counties. Implementation of the proposed SHA would also allow the natural expansion of the released tortoise population into surrounding habitat on the ranch. The permit would authorize incidental take that may result from the implementation of the proposed conservation and management measures. These measures include maintaining the existing tortoise captive breeding and head-starting program to ensure that adequate numbers of tortoises are available for release. The head-starting enclosure is an outdoor facility that is enclosed with predator proof nets that prevent mammals and birds from preying on the tortoises and houses a few hundred tortoises with the potential to translocate. The measures also include releasing, monitoring, and managing several hundred tortoises as required to establish a foundation from which viable populations (100 individuals or more) could become established at the Armendaris Ranch. In addition, the permit would authorize incidental take that may result from ongoing and future activities on the enrolled property during the permit term, and a return of the property to its baseline condition at the conclusion of the permit.

The SHA, including the proposed conservation and management measures, was developed in coordination with the Service. The

permit would allow incidental take and a return to baseline conditions on the property. The proposed conservation and management measures, once implemented, are expected to provide a net conservation benefit to the tortoise.

Alternatives

We are considering one alternative to the proposed action as part of this process, the No Action Alternative. Under No Action Alternative, the Service would not issue the permit, and the SHA would not be implemented.

Next Steps

We will evaluate the permit application, SHA, draft EA, and comments we receive to determine whether the SHA application meets the requirements of the ESA, NEPA, and implementing regulations. If we determine that all requirements are met, we will approve the SHA and issue the permit under section 10(a)(1)(A) of the ESA (16 U.S.C. 1531 *et seq.*) to the applicant in accordance with the terms of the SHA and specific terms and conditions of the authorizing permit. We will not make our final decision until after the 30-day comment period ends and we have fully considered all comments received during the public comment period.

Public Availability of Comments

All comments we receive become part of the public record associated with this action. Requests for copies of comments will be handled in accordance with the Freedom of Information Act, NEPA, and Service and Department of the Interior policies and procedures. 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 to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so. 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

We provide this notice under the authority of section 10(c) of the ESA and its implementing regulations (50 CFR 17.22 and 17.32) and NEPA (42 U.S.C.

4371 *et seq.*) and its implementing regulations (40 CFR 1506.6).

Amy L. Lueders,

Regional Director, Southwest Region, U.S. Fish and Wildlife Service.

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. FWS-R5-FAC-2023-0004; FXFR1335050000/234/FF05F24400; OMB Control Number 1018-0127]

Agency Information Collection Activities; Horseshoe Crab and Cooperative Fish Tagging Programs

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, we, the U.S. Fish and Wildlife Service (Service), are proposing to renew an information collection.

DATES: Interested persons are invited to submit comments on or before April 11, 2023.

ADDRESSES: Send your comments on the information collection request (ICR) by one of the following methods (please reference 1018-0127 in the subject line of your comments):

- *Internet (preferred):* <https://www.regulations.gov>. Follow the instructions for submitting comments on Docket No. FWS-R5-FAC-2023-0004.

- *Email:* Info_Coll@fws.gov.
- *U.S. mail:* Service Information Collection Clearance Officer, U.S. Fish and Wildlife Service, 5275 Leesburg Pike, MS: PRB (JAO/3W), Falls Church, VA 22041-3803.

FOR FURTHER INFORMATION CONTACT:

Madonna L. Baucum, Service Information Collection Clearance Officer, by email at Info_Coll@fws.gov, or by telephone at (703) 358-2503. 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: In accordance with the Paperwork Reduction Act (PRA, 44 U.S.C. 3501 *et seq.*) and its implementing regulations

at 5 CFR 1320.8(d)(1), all information collections require approval under the PRA. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid OMB control number.

As part of our continuing effort to reduce paperwork and respondent burdens, we invite the public and other Federal agencies to comment on new, proposed, revised, and continuing collections of information. This helps us assess the impact of our information collection requirements and minimize the public's reporting burden. It also helps the public understand our information collection requirements and provide the requested data in the desired format.

We are especially interested in public comment addressing the following:

- (1) Whether or not the collection of information is necessary for the proper performance of the functions of the agency, including whether or not the information will have practical utility;
- (2) The accuracy of our estimate of the burden for this collection of information, including the validity of the methodology and assumptions used;
- (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and

- (4) How might the agency minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of response.

Comments that you submit in response to this notice are a matter of public record. We will include or summarize each comment in our request to OMB to approve this ICR. 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.

Abstract: The Fish and Wildlife Act of 1956 (16 U.S.C. 742f) requires the Department of the Interior to take steps “required for the development, advancement, management, conservation, and protection of fishery resources.” In addition, the Endangered Species Act of 1973 (16 U.S.C. 1531–1544), the Wildlife Coordination Act (16

U.S.C. 661–666c), and the Anadromous Fish Conservation Act (16 U.S.C. 757a–757g) each authorize the Department of the Interior to enter into cooperative agreements with stakeholders to protect and conserve fishery resources. The Maryland Fish and Wildlife Conservation Office (MDFWCO) will collect information on horseshoe crabs and fishes captured by the public. Tag information provided by the public will be used to estimate recreational and commercial harvest rates, estimate natural mortality rates, and evaluate migratory patterns, length and age frequencies, and effectiveness of current regulations.

Horseshoe crabs play a vital role commercially, biomedically, and ecologically along the Atlantic coast. Horseshoe crabs are commercially harvested and used as bait in eel and conch fisheries. Biomedical companies along the coast also collect and bleed horseshoe crabs at their facilities. *Limulus* amebocyte lysate, derived from horseshoe crab blood, is used by pharmaceutical companies to test sterility of products. Finally, migratory shorebirds also depend on the eggs of horseshoe crabs to refuel on their migrations from South America to the Arctic. One bird in particular, the rufa red knot (*Calidris canutus rufa*), feeds primarily on horseshoe crab eggs during its stopover. Effective January 12, 2015, the rufa red knot was listed as threatened under the Endangered Species Act (79 FR 73706; December 11, 2014).

In 1998, the Atlantic States Marine Fisheries Commission (ASMFC), a management organization with representatives from each State on the Atlantic coast, developed a horseshoe crab management plan. The ASMFC plan and its subsequent addenda established mandatory State-by-State harvest quotas, and created the 1,500-square-mile Carl N. Shuster, Jr., Horseshoe Crab Sanctuary off the mouth of Delaware Bay.

Restrictive measures have been taken in recent years; however, populations are increasing slowly. Because horseshoe crabs do not breed until they are 9 years or older, it may take some time before the population measurably increases. Federal and State agencies, universities, and biomedical companies participate in a Horseshoe Crab Cooperative Tagging Program. The Service's MDFWCO maintains the information collected under this program and uses it to evaluate migratory patterns, survival, and abundance of horseshoe crabs.

Members of the public who recover tagged crabs provide the following