

Dated: July 21, 2000.

**Kristen Nelson,**

*Chief, Branch of Permits, Office of  
Management Authority.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### **Notice of Availability of Draft Environmental Impact Statement for the Establishment of the Little Darby National Wildlife Refuge in Madison and Union Counties, West Central Ohio**

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

**ACTION:** Notice of availability for public  
comment.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) has prepared a Draft Environmental Impact Statement (DEIS) which is available for public review. The DEIS analyzes the potential environmental impacts that may result if a national wildlife refuge is established in the Little Darby watershed. The analysis provided in the DEIS is intended to accomplish the following: inform the public of the proposed action and alternatives; address public comment received during the scoping period; disclose the direct, indirect, and cumulative environmental effects of the proposed actions and each of the alternatives; and indicate any irreversible commitment of resources that would result from implementation of the proposed action. The Service invites the public to comment on the DEIS. All comments received from individuals become part of the official public record. Requests for such comments will be handled in accordance with the Freedom of Information Act and the Council on Environmental Quality's National Environmental Policy Act regulations [40 CFR 1506.6(f)]. Our practice is to make comments available for public review during regular business hours. Individual respondents may request that we withhold their home address from the record, which we will honor to the extent allowable by law. If a respondent wishes us to withhold his/her name and/or address, this must be stated prominently at the beginning of the comment.

The DEIS evaluates the establishment of the Little Darby National Wildlife Refuge as a means of working with individuals, groups, and governmental entities to permanently preserve and restore a significant segment of the Little Darby Creek subwatershed, its aquatic

resources, threatened and endangered species, migratory birds and the historic grassland, wetland and oak savanna habitats that they depend upon. Five alternatives, including a No Action alternative are being considered. The four action alternatives are aimed at permanently protecting and enhancing a major corridor segment of the Little Darby Creek, and associated grassland, wetland and riparian habitats.

The Service's preferred alternative (Alternative 2) is to permanently protect, enhance and restore riparian areas, grasslands and wetlands that were historically present within the framework of a Voluntary Purchase Area and to protect a larger part of the subwatershed identified as a Watershed Conservation Area through the use of voluntary non-development easements which will perpetuate the current land use and encourage conservation land use practices. The use of partnerships, incentives, education, and cooperative agreements will be used and considered in addition to the acquisition of easements and fee title interests. Any conservation easements, or acquisition of full title would be done by the Service and Service Partners which may include state agencies and private organizations. Service acquisition of easements and fee interest in lands would be on a voluntary basis from willing sellers.

**DATES:** Written comments on the DEIS must be received on or before September 28, 2000. A Final Environmental Impact Statement will then be prepared and provided to the public for review.

**ADDRESSES:** Individuals wishing copies of this DEIS for review should contact: William Hegge, Darby Creek Watershed Project Manager, U.S. Fish and Wildlife Service, 6950-H Americana Parkway, Reynoldsburg, Ohio 43068 or Thomas Larson, Chief of Ascertainment and Planning, National Wildlife Refuge System, BHW Federal Building, 1 Federal Drive, Fort Snelling, Minnesota 55111. The DEIS is also available on the Internet at <http://www.fws.gov/r3pao/planning/top.htm> and at the Ohio libraries listed below:

Hilliard Branch, Columbus Metropolitan Libraries  
Dublin Branch, Columbus Metropolitan Libraries  
Main Branch, Columbus Metropolitan Libraries  
Northwest Branch, Columbus Metropolitan Libraries  
London Branch, Madison County Libraries  
Plain City Branch, Madison County Libraries

West Jefferson Branch, Madison County Libraries  
Marysville Branch, Union County Libraries  
Richwood Branch, Union County Libraries  
Urbana Branch, Champaign County Libraries  
St. Paris Branch, Champaign County Libraries  
Mechanicsburg Branch, Champaign County Libraries  
Springfield Branch, Clark County Libraries  
Hurt/Battelle Memorial Library, West Jefferson

#### **FOR FURTHER INFORMATION CONTACT:**

William Hegge or Thomas Larson at the addresses listed above or by telephone at 614/ 469-6923 x17 and 800/247-1247 respectively.

#### **Public Hearing**

A public hearing will be held in Ohio during the comment period to solicit oral comments from the public. The date and location of this hearing will be announced through the local news media.

**SUPPLEMENTARY INFORMATION:** On June 9, 2000, a notice was published in the **Federal Register** (65 F.R. 36711) announcing that the Service intended to prepare an Environmental Impact Statement addressing the possible Federal action of establishing a refuge on the Little Darby watershed in Madison and Union counties, Ohio, and inviting comments on the scope of the Environmental Impact Statement. Comments were received and considered and are reflected in the DEIS made available for comment through this notice.

America's native grasslands are a vanishing ecosystem, and mounting evidence indicates that many species dependent upon grasslands are also declining. Few other ecosystem types have experienced as great a degree of loss and alteration. The population trend in Ohio for grassland nongame migratory birds exhibits declines much greater than the declines reported nationally. Ohio has also lost more than 90 percent of its presettlement wetlands through conversion. An estimated 50 percent of Ohio's waterways are impaired by agricultural runoff and hydro-modification. This project could preserve and restore grassland and wetland habitats and play a major role in long term preservation of the diverse Little Darby Creek aquatic system.

Through an integrated and novel ecosystem approach, the Service, with its partners, proposes to protect and restore fish and wildlife habitats, overall

biodiversity and compatible land uses in the project area through holistic management strategies using a wide variety of tools and techniques. The Service proposes to participate in public and private partnerships at many levels, complementing and expanding upon local projects such as those of the Soil and Water Conservation Districts, Ohio Department of Natural Resources, U.S. Department of Agriculture, Ohio Department of Agriculture, The Nature Conservancy, and others.

This notice is provided pursuant to Fish and Wildlife Service regulations for implementing the National Environmental Policy Act of 1969 (40 CFR 1506.6).

Dated: July 21, 2000.

**Marvin E. Moriarty,**  
*Acting Regional Director.*

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Notice of Intent To Prepare a Supplement to a Final Environmental Impact Statement Pertaining to the Translocation of Southern Sea Otters

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

**ACTION:** Notice of intent (NOI) to prepare a supplement to a final environmental impact statement.

**SUMMARY:** Pursuant to the National Environmental Policy Act, 40 CFR 1502.9(c)(1)(ii) this NOI advises the public that we, the U.S. Fish and Wildlife Service (Service), intend to prepare a draft and final Supplemental Environmental Impact Statement (Supplement) (EIS) pertaining to the translocation of southern sea otters.

From 1984 through May of 1987, we drafted and finalized an EIS which analyzed the impacts of establishing a program to translocate southern sea otters from their then current range along the central coast of California to areas of northern California, southern Oregon, or San Nicolas Island off the coast of southern California. We implemented the translocation program and moved southern sea otters from the coast of central California to San Nicolas Island starting in August 1987 and ending in March 1990. As part of the translocation program, up until 1993, we removed or attempted to remove otters (containment) from a special management zone established under the translocation program. The special management zone is located off the

coast of southern California, from Point Conception south to Mexico, and includes the channel islands, exclusive of San Nicolas Island and the surrounding translocation zone. The purpose of this containment component of the translocation program was to prevent, to the maximum extent feasible, conflict between sea otters and other fishery resources within the management zone and to facilitate the management of sea otters at San Nicolas Island. Over the past several years, significant new circumstances have arisen that bear on the translocation program and, in particular, on the containment component of the program. In addition, we have acquired significant new information relevant to environmental concerns for southern sea otters.

In response to these significant new circumstances and new information, we are reevaluating the present southern sea otter translocation program and propose to modify the program consistent with the recovery needs of the species. This NOI serves to describe several alternative modifications to the program as well as termination of the program, invites public participation in the scoping process for preparing the EIS, and identifies the Fish and Wildlife Service official to whom questions and comments concerning the proposed action may be directed. Throughout the scoping process, the public, environmental groups, industries, Federal and State agencies, local governments, and other interested parties will have the opportunity to assist us in determining the scope of the Draft Supplement, significant issues that should be addressed, and alternatives to be considered.

**DATE:** Written comments regarding scoping for the Draft Supplement should be received by September 29, 2000. See **SUPPLEMENTARY INFORMATION** section for meeting dates.

**ADDRESSES:** Address all comments concerning this notice to U.S. Fish and Wildlife Service, Ventura Field Office, Attention Mr. Greg Sanders, 2493 Portola Road, Suite B, Ventura, California, 93003-7726, (telephone: 805/644-1766; facsimile: 805/644-3958). Submit electronic comments to [fw1ottereis@r1.fws.gov](mailto:fw1ottereis@r1.fws.gov). See **SUPPLEMENTARY INFORMATION** section for file formats and other information about electronic filing.

**FOR FURTHER INFORMATION CONTACT:** Mr. Greg Sanders, U.S. Fish and Wildlife Service, at the above Ventura address.

**SUPPLEMENTARY INFORMATION:**

### Background

In 1977, we listed the southern sea otter (*Enhydra lutris nereis*) as a threatened species under the Endangered Species Act (ESA) after consideration of its small population size, greatly reduced range, and the potential risk from oil spills. We approved a recovery plan for the species in 1982. At the time the recovery plan was being developed, available information suggested the sea otter population was not growing, and there was concern the population was in decline. In response, we determined that translocating sea otters was an effective and reasonable recovery action, although there was some concern that a translocated sea otter population could impact shellfish fisheries that had developed in areas formerly occupied by sea otters. Goals cited in the recovery plan included: minimizing risk from potential oil spills; establishing at least one additional breeding colony outside the then current sea otter range; and compiling and evaluating information on historic distribution and abundance, available but unoccupied habitat, and potential fishery conflicts to help identify optimum distribution, abundance, and productivity. The idea of translocation was not new as several prior efforts to reestablish sea otter populations via translocation had been successful. We developed a southern sea otter translocation plan in 1986.

In concept, the purpose of translocation was to establish sea otters in one or more areas outside the then current range to minimize the possibility of a single natural or human-caused catastrophe, such as an oil spill, adversely affecting a significant portion of the population. Ultimately, it was anticipated that translocation would result in a larger population size and a more continuous distribution of animals throughout the southern sea otter's former historic range. Translocation was viewed as important to achieving recovery, and for identifying the optimal sustainable population (OSP) level for the southern sea otter as required under the Marine Mammal Protection Act (MMPA).

Translocation of a listed species is generally authorized under the Endangered Species Act, and under certain specific circumstances, translocation of a listed species to establish experimental populations is authorized under section 10(j) of the ESA. The sea otter, however, is protected by both the ESA and the MMPA, and prior to the amendments of 1988, there were no similar translocation provisions under the