

with granite outcrops would continue to be managed at present levels. The target acreage for restored grassland would be 1,100 acres, and for partially restored grasslands 1,200 acres. The amount of nonnative grassland would decrease by 500 acres. Wildlife observation and photography, environmental education and interpretation, hunting, fishing, trapping, and gathering wild edible plants are recreational opportunities that would occur under this alternative if they meet the Service definition of compatibility. Gathering of shed antlers would be discontinued. There would be increased outreach efforts to inform the public of existing Refuge access and recreational opportunities. Existing hunting opportunities would continue, and there would be added opportunities for youth and for hunters with disabilities. Fishing access and opportunities would increase beyond present levels. Refuge staff would continue to work with visitors and local communities to provide increased volunteer opportunities to build support for the Refuge.

Elements Common to Alternatives 3, 4, 5, and 6

The other four alternatives have a number of elements in common with Alternative 2. They are the same regarding Minnesota River restoration, water quality improvements, changes to West Pool, management of remnant prairie and prairie associated with granite outcrops, the range of recreational opportunities including elimination of shed antler gathering, fishing access and opportunities, and volunteer opportunities. The alternatives also differ in a number of ways as indicated below.

Alternative 3

The target acreage for restored grassland would be 1,600 acres, and for partially restored grassland 500 acres. The amount of nonnative grassland would decrease by 300 acres. The amount of visitor access for wildlife observation and photography would increase. Existing hunting opportunities would continue but also be reviewed to determine the need for improvements to access, facilities, or opportunities. There would be additional hunting opportunities for youth and people with disabilities.

Alternative 4

The target acreage for restored grassland would be 1,600 acres, and for partially restored grassland 700 acres. The amount of nonnative grassland would decrease by 500 acres, 200 acres more than under Alternative 3. The

amount of visitor access would remain at present levels, but there would be increased outreach efforts to inform the public of existing Refuge access and recreational opportunities. Existing hunting opportunities would continue. The amount of area open to hunting would remain the same, but hunting opportunities, access, and facilities would be reviewed to determine the need for improvements. There would be an emphasis on additional hunting opportunities for youth and people with disabilities.

Alternative 5

The target acreage for restored grassland would be 1,600 acres, and for partially restored grassland 700 acres. The amount of nonnative grassland would decrease by 500 acres. The amount of visitor access for wildlife observation and photography would increase. The amount of area open to hunting or the types of hunting permitted would increase above present levels without the emphasis described for Alternatives 2, 4, and 6.

Alternative 6 (Preferred Alternative)

The target acreage for restored grassland would be 1,600 acres, and for partially restored grassland 700 acres. The amount of nonnative grassland would decrease by 500 acres. The amount of visitor access would remain at present levels, but there would be increased outreach efforts to inform the public of existing Refuge access and recreational opportunities. Existing hunting opportunities would continue but also be reviewed to determine the need for improvements to access, facilities, or opportunities. There would be additional hunting opportunities for youth and people with disabilities.

Public Involvement

We will give the public an opportunity to provide input at a public meeting. You can obtain the schedule from the address or Web site listed in this notice (see **ADDRESSES**). You may also submit comments anytime during the comment period.

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.

Charles M. Wooley,

*Acting Regional Director, Midwest Region,
U.S. Fish and Wildlife Service.*

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DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[FWS-R8-FHC-2012-N018; FF08EVEN00-FXFR1337088SSOOL5-123]

Marine Mammal Protection Act; Stock Assessment Report

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability of draft revised stock assessment report for the southern sea otter in California; request for comments.

SUMMARY: In accordance with the Marine Mammal Protection Act of 1972, as amended (MMPA), and its implementing regulations, we, the U.S. Fish and Wildlife Service (Service), have developed a draft revised marine mammal stock assessment report (SAR) for the southern sea otter (*Enhydra lutris nereis*) stock in the State of California. We now make the SAR available for public review and comment.

DATES: We will consider comments that are received or postmarked on or before August 7, 2012.

ADDRESSES: If you wish to review the draft revised SAR for southern sea otter, you may obtain a copy from our Web site at <http://www.fws.gov/ventura>. Alternatively, you may contact the Ventura Fish and Wildlife Office, 2493 Portola Road, Suite B, Ventura, CA 93003 (telephone: 805-644-1766). If you wish to comment on the SAR, you may submit your comments in writing by any one of the following methods:

- *U.S. mail:* Field Supervisor, at the above address;
- *Hand delivery:* Ventura Fish and Wildlife Office at the above address;
- *Fax:* (805) 644-3958; or
- *Email:* fw8ssostock@fws.gov.

FOR FURTHER INFORMATION CONTACT:

Lilian Carswell, at the above street address, by telephone (805-612-2793), or by email (Lilian_Carswell@fws.gov).

SUPPLEMENTARY INFORMATION:

Background

Under the MMPA (16 U.S.C. 1361 *et seq.*) and its implementing regulations in the Code of Federal Regulations (CFR) at 50 CFR part 18, we regulate the taking, possession, transportation,

purchasing, selling, offering for sale, exporting, and importing of marine mammals. One of the MMPA's goals is to ensure that stocks of marine mammals occurring in waters under U.S. jurisdiction do not experience a level of human-caused mortality and serious injury that is likely to cause the stock to be reduced below its *optimum sustainable population level* (OSP). OSP is defined under the MMPA as “* * * the number of animals which will result in the maximum productivity of the population or the species, keeping in mind the carrying capacity of the habitat and the health of the ecosystem of which they form a constituent element” (16 U.S.C. 1362(3)(9)).

To help accomplish the goal of maintaining marine mammal stocks at their OSPs, section 117 of the MMPA requires the Service and the National Marine Fisheries Service (NMFS) to prepare a SAR for each marine mammal stock that occurs in waters under U.S. jurisdiction. A SAR must be based on the best scientific information available; therefore, we prepare it in consultation with established regional scientific review groups. Each SAR must include:

1. A description of the stock and its geographic range;
2. A minimum population estimate, maximum net productivity rate, and current population trend;
3. An estimate of human-caused mortality and serious injury;

4. A description of commercial fishery interactions;

5. A categorization of the status of the stock; and

6. An estimate of the *potential biological removal* (PBR) level.

The MMPA defines the PBR as “the maximum number of animals, not including natural mortalities, that may be removed from a marine mammal stock while allowing that stock to reach or maintain its OSP” (16 U.S.C. 1362(3)(20)). The PBR is the product of the minimum population estimate of the stock (N_{min}); one-half the maximum theoretical or estimated net productivity rate of the stock at a small population size (R_{max}); and a recovery factor (F_r) of between 0.1 and 1.0, which is intended to compensate for uncertainty and unknown estimation errors. This can be written as:

$$PBR = (N_{min})(\frac{1}{2} \text{ of the } R_{max})(F_r)$$

Section 117 of the MMPA also requires the Service and NMFS to review the SARs (a) at least annually for stocks that are specified as strategic stocks, (b) at least annually for stocks for which significant new information is available, and (c) at least once every 3 years for all other stocks.

A *strategic stock* is defined in the MMPA as a marine mammal stock “(a) for which the level of direct human-caused mortality exceeds the PBR level; (b) which, based on the best available scientific information, is declining and is likely to be listed as a threatened

species under the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) [the “ESA”], within the foreseeable future; or (c) which is listed as a threatened or endangered species under the ESA, or is designated as depleted under [the MMPA].” 16 U.S.C. 1362(3)(19).

The southern sea otter SAR was last revised in December 2008. Because the southern sea otter qualifies as a strategic stock due to its listing as a threatened species under the ESA, the Service had reviewed the stock assessment annually since then. In December of 2009 and again in December of 2010, Service reviews concluded that revision was not warranted because the stock had not changed significantly, nor could it be more accurately determined. However, upon review in 2011, the Service determined that revision was warranted due to an increase in the relative number of strandings.

The following table summarizes the information we are now making available in the draft revised southern sea otter SAR, which lists the stock's N_{min} , R_{max} , F_r , PBR, annual estimated human-caused mortality and serious injury, and status. After consideration of any public comments we receive, the Service will revise and finalize the SAR, as appropriate. We will publish a notice of availability and summary of the final SAR, including responses to submitted comments.

SUMMARY: DRAFT REVISED STOCK ASSESSMENT REPORT, SOUTHERN SEA OTTER IN CALIFORNIA

Stock	N_{min}	R_{max}	F_r	PBR	Annual estimated average human-caused mortality and serious injury (5-year average)	Stock status
Southern sea otters	2,762	0.06	0.1	8	Due to lack of observer coverage, a science-based estimate cannot be made.	Strategic.

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.

References

In accordance with the MMPA, we include in this notice a list of the information sources and public reports upon which we based the SAR.

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Authority

The authority for this action is the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et al.*).

Dated: April 29, 2012.

Gregory E. Siekaniec,

Acting Director, Fish and Wildlife Service.

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