

the northern sea otter (*Enhydra lutris kenyoni*). A 5-year status review is based on the best scientific and commercial data available at the time of the review; therefore, we are requesting submission of any such information that has become available since the last review for the species.

**DATES:** To ensure consideration, we are requesting submission of new information no later than June 25, 2013. However, we will continue to accept new information about any listed species at any time.

**ADDRESSES:** Please submit your information in writing by any one of the following methods:

- **U.S. mail:** Deborah Pierce Williams, Chief, Marine Mammals Management, U.S. Fish and Wildlife Service, attention: Northern Sea Otter 5-year Review, 1011 E. Tudor Road, Anchorage, AK 99503;
- **Hand-delivery:** U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, AK 99503;
- **Fax:** 907-786-3816; or
- **Email:**

FW7\_Sea\_Otter\_5yr@fws.gov.

For more about submitting information, see "Request for Information" in the **SUPPLEMENTARY INFORMATION** section below.

**FOR FURTHER INFORMATION CONTACT:** Frances Mann, Sea Otter Program Lead, Marine Mammals Management, U.S. Fish and Wildlife Service, by telephone at 907-786-3668, or at the above address, fax number, or email address. Individuals who are hearing impaired or speech impaired may call the Federal Relay Service at 800-877-8339 for TTY assistance.

#### **SUPPLEMENTARY INFORMATION:**

##### **Why do we conduct a 5-year review?**

Under the Act (16 U.S.C. 1531 *et seq.*), we maintain Lists of Endangered and Threatened Wildlife and Plants (which we collectively refer to as the List) in the Code of Federal Regulations (CFR) at 50 CFR 17.11 (for animals) and 17.12 (for plants). Section 4(c)(2) of the Act requires us to review each listed species' status at least once every 5 years. Our regulations at 50 CFR 424.21 require that we publish a notice in the **Federal Register** announcing those species that are under active review.

For additional information about 5-year reviews, refer to our factsheet at <http://www.fws.gov/endangered/what-we-do/recovery-overview.html>.

##### **What information do we consider in our review?**

A 5-year review considers all new information available at the time of the

review. In conducting these reviews, we consider the best scientific and commercial data that have become available since the listing determination or most recent status review, such as:

(A) Species biology, including but not limited to population trends, distribution, abundance, demographics, and genetics;

(B) Habitat conditions, including but not limited to amount, distribution, and suitability;

(C) Conservation measures that have been implemented that benefit the species;

(D) Threat status and trends in relation to the five listing factors (as defined in section 4(a)(1) of the Act); and

(E) Other new information, data, or corrections, including but not limited to taxonomic or nomenclatural changes, identification of erroneous information contained in the List, and improved analytical methods.

Any new information will be considered during the 5-year review and will also be used to evaluate the ongoing recovery programs for the species.

#### **Species Under Review**

This notice announces our active review of the southwest Alaska Distinct Population Segment (DPS) of the northern sea otter, which is currently listed as Threatened under the Endangered Species Act. The final listing rule for this DPS of the northern sea otter was published on August 9, 2005 (70 FR 46366). A draft recovery plan for this DPS of the northern sea otter was completed in August 2010 and is available at <http://alaska.fws.gov/fisheries/mmm/seaotters/recovery.htm>.

#### **Request for Information**

To ensure that a 5-year review is complete and based on the best available scientific and commercial information, we request new information from all sources. See "What Information Do We Consider in Our Review?" for specific criteria. If you submit information, please support it with documentation such as maps, bibliographic references, methods used to gather and analyze the data, and/or copies of any pertinent publications, reports, or letters by knowledgeable sources.

#### **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 received will be available for public inspection, by appointment, during normal business hours at the offices where the comments are submitted.

#### **Completed and Active Reviews**

A list of all completed and currently active 5-year reviews addressing species for which the Alaska Region of the Service has lead responsibility is available at <http://alaska.fws.gov/fisheries/endangered/reviews.htm>.

#### **Authority**

This document is published under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: April 19, 2013.

**Geoffrey L. Haskett,**

*Regional Director, Alaska Region.*

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**BILLING CODE 4310-55-P**

## **DEPARTMENT OF THE INTERIOR**

### **Fish and Wildlife Service**

[FWS-R3-ES-2013-N094;  
FXES1113030000F3-234-FF03E00000]

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

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

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

**SUMMARY:** We, the U.S. Fish and Wildlife Service (USFWS), invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (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:** We must receive any written comments on or before May 28, 2013.

**ADDRESSES:** Send written comments by U.S. mail to the Regional Director, Attn: Lisa Mandell, U.S. Fish and Wildlife Service, Ecological Services, 5600 American Blvd. West, Suite 990, Bloomington, MN 55437-1458; or by electronic mail to [permitsR3ES@fws.gov](mailto:permitsR3ES@fws.gov).

**FOR FURTHER INFORMATION CONTACT:** Lisa Mandell, (612) 713-5343.

**SUPPLEMENTARY INFORMATION:****Background**

We invite public comment on the following permit applications for certain activities with endangered species authorized by section 10(a)(1)(A) of the Act (16 U.S.C. 1531 *et seq.*) and our regulations governing the taking of endangered species in the Code of Federal Regulations (CFR) at 50 CFR part 17. Submit your written data, comments, or request for a copy of the complete application to the address shown in **ADDRESSES**.

**Permit Applications**

*Permit Application Number:* TE03450B.  
*Applicant:* Erin L. Basinger, Cloverdale, IN.

The applicant requests a permit to take (capture and release) Indiana bats (*Myotis sodalis*), Gray bats (*Myotis grisescens*), Virginia big-eared bats (*Corynorhinus townsendii virginianus*) and Ozark big-eared bats (*Corynorhinus townsendii ingens*) throughout the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE06845A.  
*Applicant:* Bernardin, Lochmueller, and Associates, Inc., Evansville, IN.

The applicant requests an amendment to their permit to take (capture and release) Indiana bats and gray bats. The requested amendment is to increase the geographic area where the permittee may work to include Kentucky and Georgia. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE38860A.  
*Applicant:* Jason M. Garvon, Lake Superior State University, Sault Ste. Marie, MI.

The applicant requests a permit renewal to take (harass) Piping Plover (*Charadrius melodus*) in the Upper Peninsula of Michigan. Activities are proposed for the conservation and recovery of the species in the wild.

*Permit Application Number:* TE11035A.  
*Applicant:* Robert J. Vande Kopple, University of Michigan, Pellston, MI.

The applicant requests a permit renewal to take (capture and release) the

Hungerford's crawling water beetle (*Brychius hungerfordi*) throughout the species' range in Michigan and Wisconsin. Proposed activities are for the recovery and enhancement of propagation and survival of the species in the wild.

*Permit Application Number:* TE03452B.  
*Applicant:* Michigan Nature Association, Williamston, MI.

The applicant requests a permit to take (harass, harm, kill) Mitchell's satyr butterflies (*Neonympha mitchellii mitchellii*) at the Association's Butternut Creek Nature Sanctuary, Berrien County, Michigan. Proposed activities are for the enhancement of survival of the species in the wild through habitat management and population monitoring.

*Permit Application Number:* TE48835A.  
*Applicant:* Applied Science and Technology, Inc., Brighton, MI.

The applicant requests a permit amendment to take (capture and release) Snuffbox mussels (*Epioblasma triquetra*) and to increase the geographic scope of the permit to include waters throughout Michigan and Ohio. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE03494B.  
*Applicant:* GAI Consultants, Inc., Erlanger, KY.

The applicant requests a permit to take (capture and release) Indiana bats, gray bats, Virginia big-eared bats, and Ozark big-eared bats throughout the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE03495B.  
*Applicant:* Kristina R. Hammond, Terre Haute, IN.

The applicant requests a permit to take (capture and release) Indiana bats throughout the States of the States of Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia. Proposed activities are for the recovery and

enhancement of survival of the species in the wild.

*Permit Application Number:* TE235639.  
*Applicant:* Davey Resource Group, Kent, OH.

The applicant requests a permit amendment to take (capture and release) Indiana bats. The requested amendment would increase the geographic area in which the permittee may work to include the State of Missouri. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE03499B.  
*Applicant:* Ecological Survey and Design, LLC, Temperance, MI.

The applicant requests a permit to take (capture and release) Snuffbox mussels within the State of Ohio. Proposed activities are for the recovery and enhancement of survival of the species in the wild.

*Permit Application Number:* TE03501B.  
*Applicant:* Mississippi Entomological Museum, Mississippi State University, Mississippi State, MS.

The applicant requests a permit to take (collect) Mitchell's satyr butterflies in the States of Michigan and Indiana. Proposed activities are to conduct scientific research in the interest of species recovery.

*Permit Application Number:* TE03502B.  
*Applicant:* California Ridge Wind Energy LLC, Chicago, IL.

The applicant requests a permit to take (harm, harass, kill) Indiana bats in Champaign and Vermillion Counties, Illinois. Proposed activities includes a two year scientific research study of acoustic deterrents, wind turbine operational experiments, and fatality surveys at the California Ridge Wind Energy Project. Proposed activities are aimed at conservation of the species through reduction of impacts at wind energy facilities.

**Public Comments**

We seek public review and comments on these permit applications. Please refer to the permit number when you submit comments. Comments and materials we receive are available for public inspection, by appointment, during normal business hours at the address shown in the **ADDRESSES** section. 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.

Dated: April 22, 2013.

Lynn M. Lewis,

Assistant Regional Director, Ecological Services, Midwest Region.

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLNVS00530 L13300000.EP0000 241A; 13-08807; MO# 4500048244; TAS: 14X1109]

#### Notice of Availability of the Final Environmental Impact Statement and Record of Decision for the Proposed Sloan Hills Competitive Mineral Material Sales, Clark County, NV

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

**ACTION:** Notice of availability.

**SUMMARY:** In accordance with the National Environmental Policy Act of 1969 (NEPA), as amended, and the Federal Land Policy and Management Act of 1976, as amended, the Bureau of Land Management (BLM) has prepared a Final Environmental Impact Statement (EIS) and a Record of Decision (ROD) for the Proposed Sloan Hills Mineral Material Sales, Clark County, Nevada, and by this notice is announcing their availability.

**DATES:** The BLM will not act on a final decision on the proposal for a minimum of 30 days of the date that the Environmental Protection Agency publishes its notice in the **Federal Register**.

**ADDRESSES:** Copies of the Final EIS and ROD are available for public inspection at the following locations in Nevada:

- BLM Nevada State Office, 1340 Financial Boulevard, Reno;
- BLM Southern Nevada District Office, 4701 North Torrey Pines Drive, Las Vegas;
- Paseo Verde Library, 280 South Green Valley Parkway, Henderson;
- James I Gibson Library, 100 West Lake Mead Parkway, Henderson; and
- Enterprise Library, 25 East Shelbourne Avenue, Las Vegas.

Interested persons may also review the Final EIS and ROD at <http://www.blm.gov/nv/st/en/fo/lvfo.html> or request a printed copy or a compact disc from the BLM Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130, phone: 702-515-5000, or email to: [sloanhillseis@blm.gov](mailto:sloanhillseis@blm.gov).

**FOR FURTHER INFORMATION CONTACT:** Shonna Dooman, Las Vegas Field Office

Assistant Field Manager, telephone: 702-515-5174; address Las Vegas Field Office, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130; or email: [sloanhillseis@blm.gov](mailto:sloanhillseis@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FIRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** After environmental analysis, consideration of public comments, and application of pertinent Federal laws, it is the decision of the BLM to not authorize the competitive sale of mineral materials in the Sloan Hills area in southern Las Vegas Valley, Nevada. The selected No Action Alternative reflects the BLM's intent to continue the current management of public lands within the Sloan Hills. The BLM prepared a Final EIS and ROD to fulfill responsibilities under the Act of July 31, 1947, as amended (30 U.S.C. 601 *et seq.*), commonly referred to as the Materials Act, and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 *et seq.*). The purpose of this analysis was for the BLM to respond to applications from two mining companies (CEMEX and Service Rock Products Corporation) to mine and process limestone and dolomite minerals in the Sloan Hills area of southern Nevada. Two settlement agreements obligate the BLM to process the mineral material sales applications submitted by CEMEX and Service Rock Products Corporation. The BLM's decision to select the No Action Alternative is in conformance with the Las Vegas Resource Management Plan/Final Environmental Impact Statement, approved on October 5, 1998. The BLM's decision is consistent with the Materials Act and the Federal Land Policy and Management Act.

Alternatives analyzed in the Final EIS include: Alternative 1, at 640 acres, includes the sale of mineral materials in the North Site and the South Site to two mining companies that would operate independently and results in a single open pit mine; Alternative 2, at 320 acres, includes the sale of mineral materials in the North Site only; Alternative 3, at 320 acres, includes the sale of mineral materials in the South Site only; Alternative 4, at 640 acres, includes the sale of mineral materials in both the North Site and the South Site to a single mining company and

Alternative 5, the No Action Alternative.

On August 5, 2011, a Notice of Availability for the Draft EIS for this project was published in the **Federal Register** (76 FR 47607). The BLM held three public meetings and accepted public comments for 120 days through email, fax, mail, and public meetings. A total of 82 comments from individuals and 26 comments from governmental entities were received. Additionally, the BLM received one petition signed by 3,420 individuals. The majority of the comments received addressed impacts on air quality, water use, noise and vibration, visual resources, transportation and traffic, socioeconomics, and special management areas. Cooperating agencies in the development of the EIS include: Las Vegas Valley Water District, Nevada Department of Wildlife, Clark County Department of Air Quality, Clark County Department of Aviation, and City of Henderson.

Comments received from the public on the Draft EIS and internal BLM review were considered and incorporated as appropriate into the Final EIS following the standards of 40 CFR 1503.4(c).

#### Filing an Appeal:

The decision by the BLM to select the No Action Alternative as the agency's Preferred Alternative is appealable subject to 43 CFR part 4, subpart E—Special Rules Applicable to Public Land Hearings and Appeals, and 43 CFR 3601.80. Any party adversely affected by this decision may appeal within the 30-day timeframe by filing an appeal with the BLM Las Vegas Field Manager, 4701 N. Torrey Pines Drive, Las Vegas, NV 89130, or fax: 702-515-5023. A copy of the notice of appeal, and statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken and on the Office of the Regional Solicitor, U.S. Department of the Interior, Pacific Southwest Region, 2800 Cottage Way, Room E-1712, Sacramento, CA 95826, no later than 15 days after filing documents with the Las Vegas Field Manager.

To file a petition for stay of the ROD pursuant to 43 CFR 4.21 while an appeal is pending before the Interior Board of Land Appeals (IBLA), the petition for stay must accompany the Notice of Appeal (see 43 CFR 4.21; 43 CFR 3601.80). A petition for stay must show sufficient justification based on the standards listed in 43 CFR 4.21(b). If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be