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#### Technical Innovation

PD&R supports and employs new methods of data collection and analysis that more reliably and efficiently answer research questions than old methods do.

#### Application of These Principles to Economic Analysis of Regulations

Economic analysis of regulations, properly conducted, is a critical tool in improving public policy. In any PD&R Regulatory Impact Analysis:

- PD&R analyzes whether the issues addressed by the regulation stem from a market failure, government failure, or other systemic problem, and whether the regulation addresses the root causes of those problems.

- PD&R uses and as necessary produces the best objective estimates of the benefits, costs, and transfers resulting from the regulation, taking into account gaps and uncertainties in the available data.

- Where clear alternatives to the regulatory actions exist, PD&R objectively estimates the benefits, costs, and transfers of those alternatives as well.

Dated: November 30, 2016.

**Katherine O'Regan,**

*Assistant Secretary for Policy Development and Research.*

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**BILLING CODE 4210-67-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS-R8-ES-2016-N127; FF08EVEN00-FXFR1337088SSO0]

#### Marine Mammal Protection Act; Stock Assessment Report for the Southern Sea Otter in California

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

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

**SUMMARY:** In accordance with the Marine Mammal Protection Act of 1972, as amended, 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 stock in the

State of California. We now make the draft SAR available for public review and comment.

**DATES:** We will consider comments that are received or postmarked on or before March 6, 2017.

**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](mailto: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](mailto:Lilian_Carswell@fws.gov)).

**SUPPLEMENTARY INFORMATION:** We announce the availability for review and comment of a draft revised marine mammal stock assessment report (SAR) for the southern sea otter (*Enhydra lutris nereis*) stock in the State of California.

#### Background

Under the Marine Mammal Protection Act of 1972, as amended (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; import; and, under certain conditions, possession; transportation; purchasing; selling; and offering for sale, purchase, or export, 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(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, current and maximum net productivity rate, and current population trend;
3. An estimate of the annual human-caused mortality and serious injury by source and, for a strategic stock, other factors that may be causing a decline or impeding recovery;
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(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:

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

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. If our review of the status of a stock indicates that it has changed or may be more accurately determined, then the SAR must be revised accordingly.

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(19).

**Stock Assessment Report History for the Southern Sea Otter in California**

The southern sea otter SAR was last revised in January 2014. Because the southern sea otter qualifies as a strategic stock due to its listing as a threatened species under the ESA, the Service has reviewed the stock assessment annually since then. In January 2015, Service review concluded that revision was not warranted because the status of the stock had not changed, nor could it be

more accurately determined. However, upon review in 2016, the Service determined that revision was warranted because of changes in population dynamics in the central portion of the mainland range and new information on fishery-related sea otter mortality.

**Summary of Draft Revised Stock Assessment Report for the Southern Sea Otter in California**

The following table summarizes some of the information contained in the draft

revised southern sea otter SAR, which includes 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

Southern sea otter stock	$N_{MIN}$	$R_{MAX}$	$F_R$	PBR	Annual estimated human-caused mortality and serious injury	Stock status
Mainland .....	2,990	0.06	0.1	8.97	Figures by specific source, where known, are provided in the SAR.	Strategic.
San Nicolas Island .....	64	0.13	0.1	0.42		
Summary .....	3,054	.....	.....	9		

**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.

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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: November 23, 2016.

**James W. Kurth,**

Director, U.S. Fish and Wildlife Service.

[FR Doc. 2016–29190 Filed 12–5–16; 8:45 am]

BILLING CODE 4333–15–P

**DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

[15XL LLIDB03000 LF310000 DD0000 LFHFFR650000 241A 4500078680]

**Notice of Intent To Prepare an Environmental Impact Statement for the Proposed Tri-State Fuel Breaks Project, Owyhee County, ID, and Malheur County, OR**

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

**ACTION:** Notice.

**SUMMARY:** In compliance with the National Environmental Policy Act of

1969, as amended (NEPA), the Federal Land Policy and Management Act of 1976, as amended, and the National Historic Preservation Act of 1966, as amended (NHPA), the Bureau of Land Management (BLM) Boise District Office, Boise, Idaho, and the Vale District Office, Vale, Oregon, will prepare an Environmental Impact Statement (EIS) for a landscape level fuel break project located in Owyhee County, Idaho, and Malheur County, Oregon.

**DATES:** This notice initiates the public scoping process for the EIS. Comments on issues may be submitted in writing until January 5, 2017. Any scoping meetings will be announced at least 15 days in advance through local media, and online at [www.blm.gov/id](http://www.blm.gov/id) and at [www.blm.gov/or](http://www.blm.gov/or). To be most helpful in the preparation of the Draft EIS, comments must be postmarked, faxed, or submitted electronically by the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later. The BLM will provide additional opportunities for public involvement upon publication of the Draft EIS.

**ADDRESSES:** Submit comments related to the Tri-state Fuel Breaks Project by any of the following methods:

- *Email:* [blm\\_id\\_tristate@blm.gov](mailto:blm_id_tristate@blm.gov)
- *Fax:* 208–384–3489
- *Mail:* 3948 South Development Ave., Boise, ID 83705

Documents pertinent to this proposal may be examined at the BLM Boise District Office located at the above address and the BLM Vale District Office, 100 Oregon Street, Vale, OR 97918.

**FOR FURTHER INFORMATION CONTACT:**

Lance Okeson, Project Lead, Fuels Assistant Fire Management Officer; telephone: 208–384–3300; address: 3948 South Development Ave., Boise, ID 83705; email: [blm\\_id\\_tristate@blm.gov](mailto:blm_id_tristate@blm.gov). Contact Mr. Okeson to add your name to our mailing list. Persons using a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at (800) 877–8339. The FRS is available 24 hours a day, 7 days a week, to leave a message or question for Mr. Okeson. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** Southwest Idaho, southeast Oregon, and northern Nevada (the Tri-state area) comprise one of the largest intact areas of Greater Sage-grouse (GRSG) habitat in the Northern Great Basin. The shrub-steppe ecosystem within this area is also one of the most imperiled ecosystems in the United States. The U.S. Fish and

Wildlife Service identified the Northern Great Basin as a Priority Area for Conservation (PAC) in its 2013 Conservation Objectives Team Report due to the threat of wildfire, invasive annual grasses, and conifer expansion. Management of wildfire has been identified as one of the key issues for maintaining sage-grouse populations in sagebrush-dominated landscapes. Secretarial Order 3336 calls for “. . . an increased focus to suppressing wildfire in highly valuable portions of sagebrush steppe ecosystem to reduce the loss of critically important greater sage-grouse habitat . . . .” The 2010 Rapid Ecological Assessment of the Northern Basin and Range and Snake River Plain identified the Tri-state area as being at high risk for large-scale wildfires.

Wildfires in this remote area can grow quickly and affect hundreds of thousands of acres of sage-grouse habitat within a matter of days. The 2012 Long Draw Fire (558,198 acres), the 2014 Buzzard Complex Fire (395,747 acres), and the 2015 Soda Fire (285,360 acres), all in or near the project area, each had multiple hundred thousand-acre runs in a single burning period, at rates of spread between 10 and 15 miles per hour.

**Tri-State Strategy**

The Tri-state Strategy is being developed as an integrated approach to protecting valuable, intact sage-grouse habitat from the threat of wildfire in the Tri-state area. There are several components to the strategy: Coordinating wildfire suppression per the Idaho-Oregon-Nevada Tri-state Local Operating Plan; applying existing and future travel management planning decisions for road access and maintenance, which are essential for fire suppression operations; applying national and local wildfire suppression policies and directives that prioritize protection of important habitats; assessing strategic pre-positioning locations of suppression resources, necessary infrastructure additions and funding sources needed to shorten response times; and implementing the Tri-state Fuel Breaks Project, which is the subject of this notice.

**Purpose and Need**

The Tri-state area provides important sage-grouse habitat. There is a high potential for large wildfires in the Tri-state area due to its remoteness, continuous fuels (*i.e.*, intact sagebrush and understory), and limited sites for firefighters to establish safe anchor points (*i.e.*, secure locations for firefighters to engage a fire without the chance of being outflanked by the fire).