

Background

The Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 *et seq.*) requires that we develop and implement recovery plans for the conservation and survival of threatened and endangered species under our jurisdiction, unless it is determined that such plans would not promote the conservation of the species. We designated the MHI IFKW (*Pseudorca crassidens*) as an endangered DPS under the ESA on November 28, 2012 (77 FR 70915). We published a Notice of Availability of the Draft Recovery Plan and Recovery Implementation Strategy (Draft Plans) in the **Federal Register** on October 16, 2020 (85 FR 65791) to obtain comments on the Draft Plans. We revised the Draft Plans based on the six comment submissions received from five agencies/organizations and one U.S. citizen, and these versions now constitute the Plan and Recovery Implementation Strategy for the MHI IFKW DPS.

The Final Plan

Recovery plans describe actions beneficial for the conservation and recovery of species listed under the ESA. Section 4(f)(1) of the ESA requires that recovery plans include, to the extent practicable: (1) Objective, measurable criteria which, when met, would result in a determination that the species is no longer threatened or endangered; (2) site-specific management actions necessary to achieve the plan's goals; and (3) estimates of the time required and costs to achieve the recovery plan's goal. The ESA requires the development of recovery plans for each listed species unless a recovery plan would not promote its recovery.

The purpose of the Plan is to describe the vision of what a recovered MHI IFKW DPS looks like and the strategy or roadmap for how we plan to get to a recovered state. The goal of the Plan is to rebuild the extremely low population size while sufficiently abating threats, ultimately allowing for the species' removal from the Federal list of endangered and threatened species. The population should be large enough to be resilient to environmental variability over the coming decades as well as have a minimum of three social clusters with no more than half of the population within a single social cluster. This will ensure maximum genetic diversity and resiliency while still maintaining social connectedness. The recovery approach includes research, management, monitoring, and outreach to identify, reduce, or eliminate threats so the

recovery objectives outlined in the Plan have the greatest likelihood of being achieved. Collectively, the goal, objectives, and criteria of the Plan represent NMFS' expectations of conditions to recover the MHI IFKW so the DPS no longer needs the protective measures provided by the ESA.

The recovery objectives and criteria in the Plan are based on the current literature as well as significant input from a variety of expert stakeholders. These experts, from a range of relevant disciplines including Federal and state agencies, scientists, commercial and recreational fishermen, conservation partners, and nongovernmental organizations, were convened during a four-day recovery planning workshop in 2016 to identify recovery criteria and actions to address threats to the species. Recovery criteria can be viewed as targets, or values, by which progress toward achievement of recovery objectives can be measured to make a downlisting (to threatened) and delisting decision. In the Plan, we frame recovery objectives and criteria in terms of both population parameters (demographic-based recovery criteria) and the five ESA listing factors found in the ESA section 4(a)(1) (threats-based recovery criteria). The demographic and threats-based recovery objectives and criteria for the MHI IFKW address threats from small population size, incidental take in fisheries, inadequate regulatory mechanisms, competition with fisheries for prey, environmental contaminants and biotoxins, anthropogenic noise, effects from climate change, and secondary threats and synergies. The Plan also includes the projected timeframe to recover the species, the estimated cost of implementing actions, and potential agencies/organizations involved with helping to recover the species.

Finally, accompanying the Plan is the Recovery Implementation Strategy, which is a flexible, operational document that provides specific, prioritized activities necessary to fully implement recovery actions in the Plan. This stepped-down approach will afford us the ability to modify these activities in real time to reflect changes in the information available as well as progress towards recovery. If/when the science indicates that meaningful changes to the recovery actions, objectives, and criteria are necessary, the Plan will be revised and go out for public comment.

How NMFS and Others Expect To Use the Plan

With adoption of this Plan, we will seek to implement the actions and activities for which we have authority

and funding; encourage other Federal, state, and local agencies to implement recovery actions and activities for which they have responsibility, authority, and funding; and work cooperatively with the public and local stakeholders on implementation of other actions and activities. We expect the Plan to guide us and other Federal agencies in evaluating Federal actions under ESA section 7, as well as in implementing other provisions of the ESA, such as considering permits under section 10, and other statutes.

When we are considering a species for delisting, the agency will examine whether the ESA section 4(a)(1) listing factors have been addressed. To assist in this examination, we will use the delisting criteria described in the Plan, which include both demographic-based criteria and threats-based criteria addressing each of the ESA section 4(a)(1) listing factors, as well as any other relevant data and policy considerations.

Conclusion

NMFS has reviewed the Plan for compliance with the requirements of the ESA section 4(f), determined that it does incorporate the required elements, and is therefore adopting it as the Final Recovery Plan for the main Hawaiian Islands insular false killer whale DPS.

(Authority: 16 U.S.C. 1531 *et seq.*)

Dated: October 28, 2021.

Angela Somma,

Chief, Endangered Species Conservation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 2021-23899 Filed 11-2-21; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

ENVIRONMENTAL PROTECTION AGENCY

Coastal Nonpoint Pollution Control Program: Proposal To Find That Ohio Has Satisfied Conditions on Earlier Approval

AGENCY: National Oceanic and Atmospheric Administration, U.S. Department of Commerce, and U.S. Environmental Protection Agency.

ACTION: Notice of proposed finding; request for comments.

SUMMARY: The National Oceanic and Atmospheric Administration (NOAA) and the U.S. Environmental Protection Agency (EPA) (hereafter, "the agencies")

invite public comment on the agencies' proposed finding that Ohio has satisfied all conditions the agencies established as part of their 2002 approval of the state's coastal nonpoint pollution control program (coastal nonpoint program). The Coastal Zone Act Reauthorization Amendments (CZARA) directs states and territories with coastal zone management programs previously approved under Section 306 of the Coastal Zone Management Act to develop and implement coastal nonpoint programs, which must be submitted to the federal agencies for approval. Prior to making such a finding, NOAA and EPA invite public input on the agencies' rationale for this proposed finding.

DATES: Individuals or organizations wishing to submit comments on the proposed findings document should do so by December 3, 2021.

ADDRESSES: Comments may be submitted by:

- *Electronic Submission:* Submit all electronic public comments via the Federal eRulemaking Portal. Go to regulation.gov and enter NOAA–NOS–2020–0101 in the Search box, click the “Comment” icon, complete the required fields, and enter or attach your comments.

- *Mail:* Submit written comments to Joelle Gore, Chief, Stewardship Division (N/OCM6), Office for Coastal Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910; phone (240) 533–0813; ATTN: Ohio Coastal Nonpoint Program.

Instructions: All comments received are a part of the public record and will generally be posted for public viewing on www.regulations.gov without change. All personally identifiable information (for example, name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the commenter will be publicly accessible. NOAA and EPA will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous). Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The agencies will generally not consider comments or

comment contents located outside of the primary submission (*i.e.*, on the web, cloud, or other file sharing system).

FOR FURTHER INFORMATION CONTACT:

Copies of the proposed findings document may be found on www.regulations.gov (search for NOAA–NOS–2020–0101) and NOAA's Coastal Nonpoint Pollution Control Program website at <https://coast.noaa.gov/czm/pollutioncontrol/>. Additional background information on the State of Ohio's program may be obtained upon request from: Allison Castellan, Stewardship Division (N/OCM6), Office for Coastal Management, NOS, NOAA, 1305 East-West Highway, Silver Spring, Maryland, 20910, phone: (240) 533–0799, email: allison.castellan@noaa.gov; or Paul Thomas, U.S. EPA Region 5, Water Division, 77 W Jackson Boulevard, Chicago, Illinois, 60604, phone: (312) 886–7742, email: thomas.paul@epa.gov.

SUPPLEMENTARY INFORMATION: Section 6217(a) of the Coastal Zone Act Reauthorization Amendments (CZARA), 16 U.S.C. 1455b(a), requires that each state (or territory) with a coastal zone management program previously approved under Section 306 of the Coastal Zone Management Act must prepare and submit to the federal agencies a coastal nonpoint pollution control program for approval. Ohio originally submitted its program to the agencies for approval in 1997. The agencies provided public notice of and invited public comment on their proposal to approve, subject to specific conditions, the Ohio program (66 FR 49643). The agencies approved the program by letter dated June 4, 2002, subject to the conditions specified at that time (67 FR 38471). The agencies propose to find, and invite public comment on the proposed findings, that Ohio has now fully satisfied all conditions associated with the earlier approval of its coastal nonpoint program.

The proposed findings document for Ohio's program is available at www.regulations.gov (search for NOAA–NOS–2020–0101) and information on the Coastal Nonpoint Program in general is available on the NOAA website at

<https://coast.noaa.gov/czm/pollutioncontrol/>.

Nicole R. LeBoeuf,

Assistant Administrator for Ocean Services, National Oceanic and Atmospheric Administration.

Radhika Fox,

Assistant Administrator, Office of Water, Environmental Protection Agency.

[FR Doc. 2021–23948 Filed 11–2–21; 8:45 am]

BILLING CODE 3510–08–P

DEPARTMENT OF DEFENSE

Notice of Decision for the Juniper Butte Range Land Withdrawal Extension, Mountain Home Air Force Base, Idaho

AGENCY: Department of the Air Force, Department of Defense.

ACTION: Notice of decision.

SUMMARY: The Air Force is publishing this notice of decision on the continuing Air Force need for Juniper Butte Range, Idaho Land Withdrawal and Extension for 25 Years.

ADDRESSES: Ms. Sheri Robertson 366 FW/PA, 366 Gunfighter Avenue, Suite 310, Mountain Home AFB 83648, (208) 828–2299; sheri.robertson@us.af.mil.

SUPPLEMENTARY INFORMATION: See Notice to Congress and the Secretary of the Interior below. The Air Force is publishing this final notice to inform state agencies and the public of the decision that there is a continuing need for Juniper Butte Range Land Withdrawal and of the extension for 25 years. In accordance with Public Law 105–261, Section 2915, this 25-year extension of the 1998 withdrawal will occur without a new authorization by Congress after notification to Congress and the Secretary of the Interior and a **Federal Register** and local newspaper publication of that notification and an accompanying 60-day comment period. Comments should be sent to the address provided above, and will be forwarded to the Secretaries of the Air Force and Interior.

Adriane Paris,

Acting Air Force Federal Register Liaison Officer.

BILLING CODE 5001–10–P